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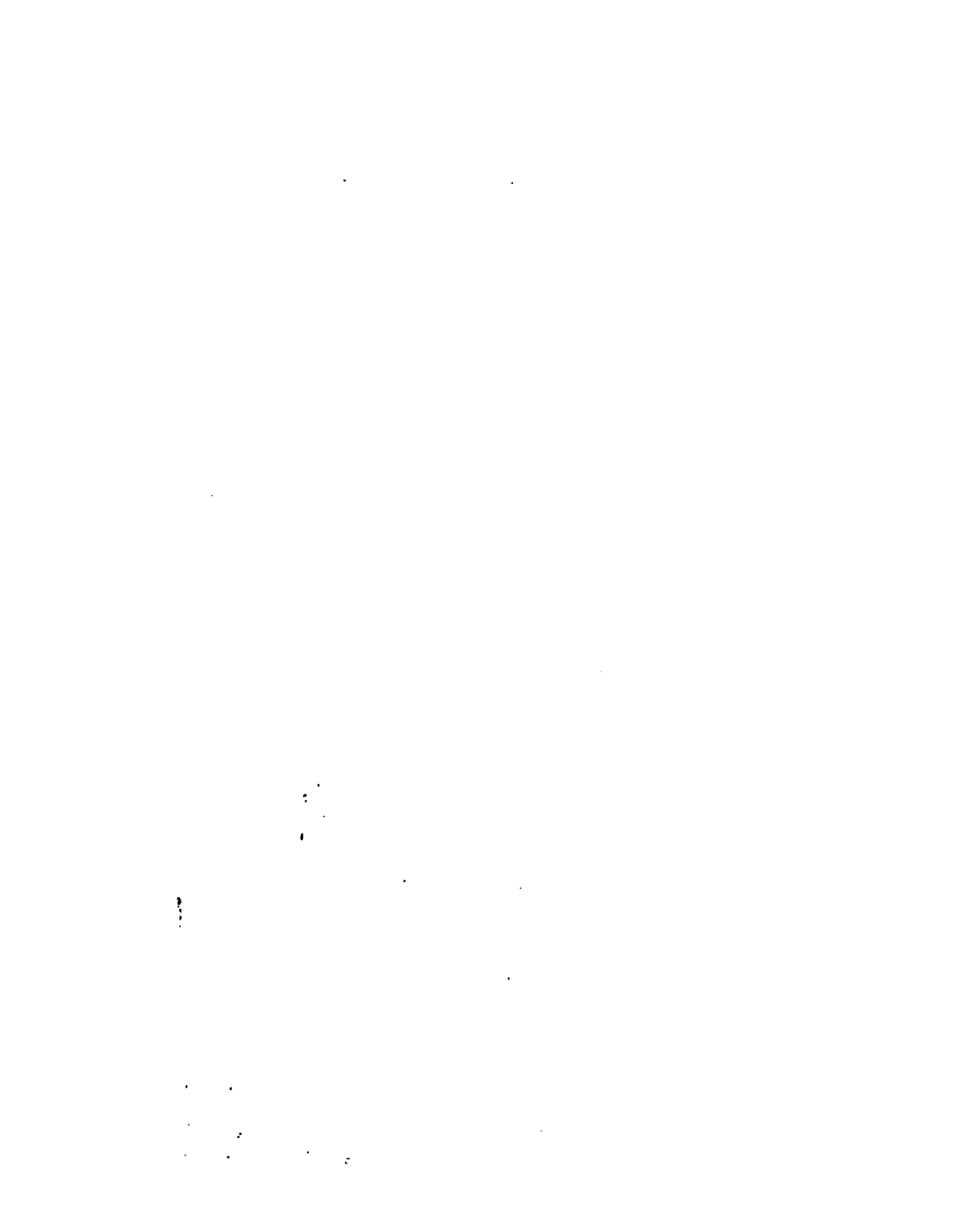
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# HOUSING REFORM

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# HOUSING REFORM

A HAND-BOOK FOR  
PRACTICAL USE  
IN AMERICAN  
CITIES

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BY  
LAWRENCE VEILLER

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## FOREWORD

BY ROBERT W. DE FOREST

**T**HIS book is a practical handbook on tenement reform in America. Public spirited citizens of every American city are asking themselves what to do to prevent in their community the housing evils that have grown up elsewhere and to remedy those that have come into existence around their own homes. This book is intended to answer that question. There is no more of theory about it than is essential to intelligent conclusion and effective action. It has been written at the instance of the Russell Sage Foundation by the person who is most competent, by knowledge and experience, to answer that question.

Lawrence Veiller has made a lifelong study of this subject. As a settlement worker in New York he acquired an intimate knowledge of how the wage earners of that city live. He was secretary and practical director of the Tenement House Committee of the New York Charity Organization Society when it was first organized in 1898. He became secretary of the New York State Tenement House Commission of 1900, which drafted the present Tenement Law for cities of the first class

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## FOREWORD

x and created the Tenement Department of New York City. And as First Deputy Tenement Commissioner during the two years after the Department came into existence he had a large part in the initial enforcement of that law.

The last chapter in the book contains a collection of negative "Don'ts." All the previous chapters deal with affirmative "Do's."

If I were to emphasize any particular line of affirmative action in housing reform, it would be the prevention of the tenement disease before any city begins to suffer from it.

We Americans have an unhappy faculty of not remembering until after we have forgotten, of not beginning to conserve our resources and save our forests until after we have lost them. But we are surely practical enough to profit by experience. And experience applied to housing reform establishes the proposition which should be printed in large type that NO GROWING AMERICAN CITY, HOWEVER FREE FROM TENEMENTS NOW, CAN AFFORD TO BE WITHOUT BUILDING REGULATIONS TO PREVENT DARK ROOMS AND UNSANITARY CONDITIONS. There is no hardship to anyone in so regulating the future building of all houses intended to contain three or more families as to ensure an open space in the rear, a window for every room, opening either on the street or an open rear or an open court proportioned to height, also water supply, sewer connection and a separate toilet. There can be no intelligent

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## FOREWORD

opposition to such a regulation, be it by state law or city ordinance. Such regulation, however much tenement evils may have come to exist, will safeguard the future, even if some of the past is lost. It is in the line of least resistance and greatest accomplishment.

There is nothing inherently objectionable in the tenement as a type of city dwelling; that is, in a multiple house intended to be occupied by three or more families living independently. The objection lies in permitting them to be built without proper regulation. It is the wellnigh universal form in many European cities. It is likely to be increasingly the form in American cities.

There comes a time in the growth of every city when it begins to feel the need of building laws to guard against fire, and appropriate enactment is made. If destruction to life and property by disease were as spectacular as destruction by fire, protection against disease-breeding houses would precede protection against those that spread only fire. Both kinds of protection are essential and cannot be ensured too early in a city's development.



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# I

## HOUSING EVILS AND THEIR SIGNIFICANCE



## HOUSING EVILS AND THEIR SIGNIFICANCE

EVERY American city has its housing problem.

While in no two cities the same, in all there are certain underlying conditions which find common expression. Bad housing conditions generally first manifest themselves when several families are found living in a dwelling intended originally for a single family. Then, with the increase in population, there comes the building of regular tenement houses usually before any restrictions have been thought of by the community. Rapidly from this point develop the evils of cellar dwellings, unsanitary privies, lack of drainage, inadequate water supply, filthy outpremises, defective plumbing, dark rooms and halls, overcrowding, the taking in of lodgers, congestion, excessive rents, the sweating evil and those other manifestations of modern social life which are too often seen in our large cities.

The causes for these evils are not to be found in any one thing but are to be traced through a variety of influences operating through considerable periods of time. Some of the evils are peculiar

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to a single community, but most of them sooner or later are found in all cities. The chief underlying factor which stands out in every community is that they are, in nearly every case, due to neglect and ignorance. Neglect on the part of the community, failure of its citizens to recognize evil tendencies as they develop; dangerous ignorance on the part of citizens and public officials of what is going on within the city's gates—a feeling of safety and of confidence that all must be right because they see little that is wrong, that things cannot be bad as long as they are hidden; a false civic pride which believes that everything in one's own city is the best, a dangerous sort of apathy content to leave things as they are, a *laissez faire* policy which brings forth fruit of unrighteousness.

Invariably accompanying these two causes, but to a lesser degree, is found a third, greed. Greed on the part of those persons who for the sake of a larger profit on their investments, are willing to traffic in human lives, to sacrifice the health and welfare of countless thousands.

It is only in comparatively recent years that the community as a whole has been alive to the importance of right housing conditions, and the far-reaching influence of wrong ones. With the changed view that has come of late with regard to much of our modern charitable and social effort, emphasis has come to be placed more and more upon the environment in which people live,

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and less upon those hereditary traits of character which social workers of earlier years were wont to observe.

It is not so very many years since we were told that it was practically useless to attempt to improve the condition of the poor; that their poverty was caused by their own vices, by defects of character transmitted from father to son, from generation to generation, by faults which were in the blood, hereditary traits and instincts impossible to overcome. The theory that tuberculosis was an incurable hereditary disease prevailed with equal force about the same period. We know now, however, that both these views were erroneous; that poverty too is a 'germ disease,' contagious even at times; that it thrives amid the same conditions as those under which the germs of tuberculosis flourish—in darkness, filth and sordid surroundings; and that when the light has once been let in the first step towards its cure has been taken.

Environment leaves its ineffaceable records on the souls, minds and bodies of men, there to be read by all able to understand. A child living its early years in dark rooms, without sunlight or fresh air, does not grow up to be a normal healthy person, but is anaemic, weak, sickly, like a plant grown in the dark. He is handicapped in his school life; his earning capacity is diminished and his resisting power weakened. It is not of such material that strong nations are made. Im-



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provement of social conditions, as indeed of all others, starts with the improvement of domestic life. When there are no homes there will be no nation.)

While every American city has its housing problem, fortunately but few cities have as yet a tenement house problem. The two are quite distinct and should be carefully differentiated. Moreover, no city in America, except New York, need have a tenement house problem. The few that have can easily solve their problems at their present stage of development, if they will be active and vigilant.

It should be recognized at the outset that the normal method of housing the working population in our American cities is in small houses, each house occupied by a separate family, often with a small bit of land, with privacy for all, and with a secure sense of individuality and opportunity for real domestic life. Under no other method can we expect American institutions to be maintained. It is useless to expect a conservative point of view in the workingman, if his home is but three or four rooms in some huge building in which dwell from twenty to thirty other families, and this home is his only from month to month. Where a man has a home of his own he has every incentive to be economical and thrifty, to take his part in the duties of citizenship, to be a real sharer in government. Democracy was not pred-



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icated upon a country made up of tenement dwellers, nor can it so survive.

It is in such small houses that the great mass of the working people are housed in most of our cities. It is so in Philadelphia, Chicago, Boston, Detroit, Baltimore, Washington, Pittsburgh, St. Louis, Cincinnati, Buffalo, Cleveland, Indianapolis, San Francisco, St. Paul, Minneapolis, and ~~many~~ in fact in all the larger cities except New York. In many of these cities, however, several families live in one building, in some cities there are frequently two families to a house, in others three, and in others even more. In a few, the tenement house system has begun to develop; and in all of those mentioned there are found individual tenement houses, similar to those of New York—large buildings four or five stories high, with several families on each floor, and with all the usual features of the multiple dwelling. But in none of these cities, as yet, has this become the dominant type of building. In that lies the hopeful element of the situation.

The conditions in New York are without parallel in the civilized world. In no city of Europe, not in Naples nor in Rome, neither in London nor in Paris, neither in Berlin, Vienna nor Buda Pesth, not in Constantinople nor in St. Petersburg, not in ancient Edinburgh nor modern Glasgow, not in heathen Canton nor Bombay are to be found such conditions as prevail in modern,

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enlightened, twentieth century, Christian New York.

In no other city is the mass of the working population housed as it is in New York, in tall tenement houses, extending up into the air fifty or sixty feet, and stretching for miles in every direction as far as the eye can reach. In no other city are there the same appalling conditions with regard to lack of light and air in the homes of the poor. In no other city is there so great congestion and overcrowding. In no other city do the poor so suffer from excessive rents; in no city are the conditions of city life so complex. Nowhere are the evils of modern life so varied, nowhere are the problems so difficult of solution.

If New York is so abnormal it may well be asked of what benefit to other communities are its problems; what lessons can others learn from New York's experience? New York, cosmopolitan in its population, is equally cosmopolitan in its social problems. Here will be found the problems of all other American cities, sometimes only in the germ, often, however, developed to an extent not dreamt of elsewhere. New York is the "horrible example." It is the startling crystallization in brick and mortar of the potential housing evils of every other American city. It typifies the kind of city that other American cities may develop into under the influence of similar forces, unless timely effort is put forth to prevent such development.

#### HOUSING EVILS AND THEIR SIGNIFICANCE

In 1835, 74 years ago, New York had a population of about 270,000 and was then a city of the size of Detroit, Milwaukee and Washington to-day. New York then had no tenement house system; it had then no miles of congested streets, no lodger evil, no overcrowding, no social problems of great magnitude.

The homes of its working people were at that time small one-story and two-story houses, each family living in its separate house, as they do to-day in Detroit, Milwaukee and Washington, cities of the same size. Had New York been told at that time that conditions would ever be such as they are to-day, who would have given credence to such wild statements? And yet what reason is there to expect that Detroit, Milwaukee, Washington and similar cities may not in time develop as New York has, and exhibit seventy-five years from now similar conditions to plague future communities with social problems of similar or even greater difficulty? Who can doubt that the tendencies and forces at work in New York in these past seventy-five years are as surely at work to-day in other American cities?

In the experience of New York may be found a lesson for every other city. Here, exhibited in striking form, are to be seen the evils that have resulted from sixty years' neglect of housing conditions, the failure not merely to anticipate the city's future development and to provide safeguards against evil tendencies, but, far worse,



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failure to recognize and remedy evils long existent, and further failure of the efforts at amelioration to keep pace with the new evils fast developing. So that, notwithstanding all the effort put forth, notwithstanding the great accomplishments of recent years, housing conditions in New York to-day are worse than they were sixty years ago.

Through these causes, we have to-day the tenement house system prevalent throughout New York as the chief means of housing the greater part of the city's population, over two-thirds of the people living in multiple dwellings; we have to-day over 100,000 separate tenement houses; we have a city built up of four and five-story buildings, instead of two-story and three-story ones; we have over 10,000 tenement houses of the hopeless and discredited "dumb-bell" type with narrow "air-shafts" furnishing neither sunlight nor fresh air to the thousands of people living in the rooms opening on them; we have over 20,000 tenement houses of the older type in which most of the rooms are without light or ventilation; we have over 100,000 dark, unventilated rooms without even a window to an adjoining room; we have 80,000 buildings, housing nearly 3,000,000 people, so constructed as to be a standing menace to the community in the event of fire, most of them built with wooden stairs, wooden halls and wooden floors, and thousands built entirely of wood.

Over a million people have no bathing facilities in their homes; while even a greater number are

#### HOUSING EVILS AND THEIR SIGNIFICANCE

limited to the use of sanitary conveniences in common with other families, without proper privacy; over a quarter of a million people had in the year 1900, no other sanitary conveniences than antiquated yard privies; and even to-day 2000 of these privy sinks still remain, many of them located in densely populated districts, a source of danger to all in the neighborhood, facilitating the spread of contagious disease through the medium of the common house-fly.

Here we have conditions of congestion of population unparalleled elsewhere in the civilized world. In one small portion of Manhattan Island, the district south of Fourteenth street and east of Broadway, dwell over 500,000 human beings, a population in itself greater than the entire population of any other American city except Chicago, Philadelphia, St. Louis, Boston and Baltimore; a population greater, indeed, than the population of each of the following states: Arizona, Delaware, Idaho, Montana, Nevada, North Dakota, Oregon, New Hampshire, New Mexico, Rhode Island, Utah, Vermont and Wyoming.

New York may well serve as a warning to other communities of what may come from present tendencies if allowed to continue unchecked. If you do not want such conditions in your city, there is but one way to avoid them. See to it that you do not get them. Be alert and vigilant. Study present and future tendencies. Profit by New York's mistakes. (Keep your city a city

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of homes, not a city of tenements. It is all possible, if you act in time. There is a time when all errors can be remedied with comparatively little loss; do not let that time go by.

No housing evils are necessary; none need be tolerated. Where they exist they are always a reflection upon the intelligence, rightmindedness and moral tone of the community.

## II

### SOME POPULAR FALLACIES





## II

### SOME POPULAR FALLACIES

TO properly understand the housing problem it is necessary for many of us to free our minds from a number of misconceptions—popular fallacies—which seem to possess a subtle power of impression and which prevail far more easily than the truth. Chief among these is the belief that the poor are of a different race from the rich; that they have not the same impulses, the same vices, the same frailties, the same virtues; that they are a totally distinct class, who, when they are in misfortune or in misery, are so because of their own fault; that in some way they possess a natural faculty for getting into trouble; that intemperance among the rich is a disease, among the poor a deliberate vice; that the poor should always immediately recognize the wisdom of the advice offered by those who would not dare to proffer similar suggestions to more prosperous friends, and that failure to take such advice is a sign of wicked wilfulness. Probably no one thing more clearly indicates the kinship of the rich and the poor than the ingrained unwillingness of both to follow the advice of others; unless, perhaps,

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the failure of both alike to realize that "The life is more than meat and the body than raiment." The rich and the poor are indeed alike in all essential particulars—and that is the trouble. Were they different, we might with reason hope that ethical principles to which one class has failed to respond might indeed appeal to the other. That failure is the failure of humanity in general, and not of the poor alone.

A kindred fallacy is that the poor do not want good housing conditions; that there is no use in providing improved dwellings for them; that good homes will not be appreciated and that the majority of the working people prefer to live in squalor and in sordid surroundings. Nothing could be farther from the facts. That there are individuals in every community who prefer to live in squalor is unquestionably true, but the majority of the poor not only welcome improved housing conditions but ardently desire them. One of the most pathetic things in modern city life is the constant striving on their part to improve living surroundings. That so many triumph over their adverse environment is everlastingly to their credit.

Another popular fallacy is the view that it is only the people who need to be reformed and not the physical, industrial and social conditions under which they live. If one still adheres to the doctrine of original sin and the innate depravity of the human race, it is conceivable that such views

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should be held. No one, however, who has worked for even a slight period of time among the poor has any doubt of what it is that needs reformation first. It will generally be found that when the conditions surrounding the lives of the poor have been changed the people have, in large measure, changed with them.

We all live up to our environment more or less, like the beggar in the bed of the king, and it is certainly the first duty of government "To make it as hard as possible for men to go wrong and as easy as possible for them to go right"—to remove the hindering things that cramp and weaken both body and soul.

Deep-rooted, too, is the belief that the poor like to be dirty, instanced always by the oft-repeated story that the common use of bathtubs among this class of society is for the storage of coal. No story, I imagine, has been repeated more often and none has less basis of fact—a hasty generalization from a single instance. Perhaps my failure during sixteen years' constant experience of tenement conditions in New York, throughout all parts of it, to observe instances of this nature has been due to the failure to find the bathtub, an institution that it has seldom been my good fortune to encounter in the ordinary tenement house. When one considers that few of the tenement population possess so great a luxury as a bathtub, and that it is their custom to buy coal by the pail because of their inability

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to pay for a larger quantity at one time, the story falls to the ground.

Over against this impressionistic picture one should, in all fairness, place those countless others, which stand out with photographic clearness, of the tenement house mother laboriously carrying in pail after pail of water from the one faucet in the public hall, heating it in various receptacles on the kitchen stove and giving child after child its bath in an inconvenient wooden wash tub.

The most emphatic proof of the desire of the great mass of the tenement population for physical cleanliness, is furnished by the experience of various public baths. A striking instance is found in the case of the People's Baths. Founded in 1891 and located partly in the crowded Italian quarter and partly on the edge of the commercial district and therefore somewhat at a disadvantage, the number of baths taken increased from 59,440 in 1892 to 135,599 in 1908, and this notwithstanding the fact that a fee of five cents is charged for each bath. Few people realize the efforts made by most of the tenement house population to keep clean under the most adverse conditions. When all the water that can be obtained must be carried up several flights of stairs, cleanliness is indeed a virtue.

Then there is the fallacious fear on the part of some that there will be a lack of shelter and that unless some philanthropist provides special housing accommodations at once for the lowest classes



### SOME POPULAR FALLACIES

in the community, they will have nowhere to live. This has never been a practical question in any American city. There are, of course, times when there may be in some quarters of each city a shortage of housing accommodations, within certain rentals, but there is never such lack of accommodations that people are without shelter because of inability to find places in which to live; nor will there ever be such a situation.

Where pressure for living accommodations becomes so great that the demand overwhelmingly exceeds the supply, there is always a migration of workers and their families from one section to another. Before such a situation develops, however, the self-interest of the average builder can be trusted to deal with it. Such men keep in very close touch with the development of each section of the city and are quick to seize their opportunity to make a profitable investment. This fear that there will be a lack of shelter is frequently expressed in connection with large public improvements. Where it is proposed to tear down unsanitary tenements, or to create a new small park in some crowded quarter, the cry soon goes up that you are depriving the people of their homes and that they will have nowhere to live. There has never been a case in this country where the population thus displaced has suffered. They quickly adapt themselves to the new conditions. In New York, in connection with one public improvement, 10,000 persons were displaced at

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practically one time and they found homes without difficulty.

➤ Another erroneous belief is that good houses do not pay. It is true that many so-called model tenement enterprises have not paid. This has not been because the houses were improved buildings, but because they had been either unwisely planned, extravagantly built or badly managed.

A picturesque view frequently encountered is that dilapidation is a serious evil. As a rule, it means at most discomfort. It seldom means illness or disease. The popular conception (certainly the newspaper one) of bad housing conditions is some small old building in dilapidated condition. This is only a minor evil compared with the really serious conditions which frequently exist in the tall, modern, expensive looking tenements of our larger cities, fair on the outside but whited sepulchres, containing within dark rooms and narrow airshafts, poisonous plumbing and countless other evils. A leaky roof is only an intermittent discomfort, but unventilated rooms and bad plumbing are subtle and sure destroyers of health. Housing reform is not to be sought upon a basis of aesthetic advance. It must rest on a much firmer foundation, that of public health and the stability and social welfare of the community.

| That unsanitary houses should be destroyed is another mistaken belief. This is the rock on

### SOME POPULAR FALLACIES

which the bark of housing reform often founders. Frequently the first effort made is to secure the enactment of laws which will permit the destruction of unsanitary buildings. A less drastic and equally effective method is simply to prohibit the occupancy of such houses. If there are houses which are manifestly unfit for human habitation, people should not be permitted to dwell in them. Nothing is to be gained by their destruction. The empty building itself is not dangerous. Why, therefore, should the state destroy property of this kind? The attempt to do so creates an opposition, on the part of property owners, which often sets back many years the whole movement for housing reform.

Probably one of the most interesting fallacies of all those entertained is the one that rear tenements are in themselves bad. I suppose that there is hardly an individual who would not at once express the opinion that the worst type of tenement house is the rear tenement. Such, however, is emphatically not the case. There are bad rear tenements, but there are many good ones—many indeed which are far better to live in than many front houses. There is nothing in the fact that the building is located in the rear away from the street which makes the house bad in itself. The determination of whether it is good or bad rests upon other considerations—the same considerations indeed which apply to a front house; namely, the amount of open space sur-



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rounding it, the provision for adequate light and ventilation, reasonable fire protection and proper maintenance and care of the premises. There is a belief quite prevalent that the fact that the rear building is hidden away from the street and access to it must be had through the front building, leads to immorality and deeds of darkness. This, however, is only a belief. There is nothing in the experience of any city to substantiate such a view.

I suppose the reason why the rear tenement has such a bad name is because of the failure of the public to carefully analyze the causes of bad conditions. It is true that the death rate in many of the rear tenements has often been much higher than it has been in many of the front houses. To argue from this, *post hoc ergo propter hoc*, that the high death rate in such buildings is due to the fact that they are rear houses is singularly naïve. A careful study of the facts shows that the high death rate in many of these buildings is due to a variety of causes. Because they have no view of the street, they naturally command a lower rental, just as the rear apartments of a front building command lower rentals than the street apartments. Moreover, they are generally old buildings and are invariably provided with privies and privy sinks instead of the modern plumbing and sanitary conveniences found in front buildings; they are seldom provided with water supply inside the buildings. For these reasons rents are lower and such buildings are

### SOME POPULAR FALLACIES

usually occupied by the poorest elements of the community. That the death rate should be higher among these classes, handicapped by poverty, ill-nourished, and having a constant struggle to make both ends meet, is not surprising. It is manifestly misleading to charge these potent influences to the rear tenement as such.

On the other hand, there are rear houses that are distinctly bad—"back-to-back" tenements, so-called; buildings which practically abut each other in the rear, sometimes with but two or three inches between them, shutting out light and ventilation and creating various kinds of unsanitary conditions. Such dwellings should not be tolerated. Bad rear tenements should not be allowed to be occupied any more than bad front tenements. But there should be no distinction made because of the fact that one is on the street and the other in the yard.

Finally comes the often-encountered view that the main criterion of the presence or absence of bad conditions is to be found in the death rate. To argue from a low death rate that housing conditions are satisfactory is misleading. It is equally misleading to argue that a high death rate is due primarily to bad housing conditions. So many elements enter into the death rate that it is unsafe to generalize from it. In the first place, the death rate is a ratio between two classes of facts: the population and the number of deaths in a given year. The latter fact is generally

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accurately known; the former fact is almost never accurately known except just at the time when a census has been taken. The population, a very important element in figuring the death rate, is generally therefore an estimate. It is a frequent trick of a municipal administration when it desires to make a good showing in regard to the death rate, to over-estimate the city's growth of population. This is pretty safe, as no one really knows what the city's population is, and figures that are put out can not be successfully disputed. Besides, there is an inherent tendency in most people to feel a sense of complacent pride in the growth of their own community, and few citizens are inclined to dispute the accuracy of figures which show what seems to most minds desirable advancement.

Other elements which enter into death rates are the nature of occupation, race, diet, industrial conditions, and an infinite variety of influences. Furthermore, it is not necessary to base one's judgment with regard to the presence or absence of adverse housing conditions upon questions of death rate. Why, therefore, pay attention to it? If there are bad housing conditions it is a matter easily susceptible of proof. Unsanitary privies, dark rooms, lack of drainage, cellar dwellings, overcrowding and all the other more frequent manifestations of bad housing, if they exist, can be shown. So long as they are there the necessity for remedying them exists. The appeal to the death rate becomes of no moment.

### **III**

## **CONGESTION AND OVERCROWDING**





### III

#### CONGESTION AND OVERCROWDING

CERTAIN social problems are inextricably interwoven with the housing problem. Of these, congestion and overcrowding are two of the more important. The terms are not synonymous, nor are they very well understood. We talk about crowding and overcrowding, and congestion of population. What is meant? Where does crowding end and overcrowding begin? When may a district be said to be congested? How many people should occupy an acre of land? Is there any arbitrary standard that can be determined upon? Are we all sure that it is injurious to a community to have, for example, 500 people to the acre? And if 500 may be permitted, where is the line to be drawn? Is 750 too many, or indeed 1000? Who is to determine?

Frankly, I do not believe that there is any arbitrary or fixed standard that can be adopted. In some parts of China where the number of people to the acre is very much less than it is in many parts of modern New York, conditions of living are infinitely worse from the point of view of

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overcrowding and congestion. It makes a very great difference whether 1000 people to the acre are housed in buildings one and two stories high or whether they are housed in buildings five and six stories high. There may easily be 500 and even 1000 people to the acre living in high buildings ten or twenty stories high and yet there be no conditions of overcrowding whatever. In some high-class hotels in our larger cities it will be found that there are over 1200 persons to the acre, yet no sensible person dreams of calling such conditions, conditions of overcrowding or congestion.

Congestion and overcrowding are not to be determined by the number of people living on a given area of land. The vital question is the distribution of such population, the actual close proximity in which people live.

There are two kinds of overcrowding. These should be carefully distinguished. The first is the overcrowding of limited areas of land with an undue population, resulting in congestion. This is the form of overcrowding with which we are more familiar in American cities, especially in the larger ones, but is not the form that is generally meant in the discussion of this question. Overcrowding, as it is known in English and European cities, concerns itself almost entirely with the occupation by an undue number of persons of a limited space in rooms or apartments. This is the great problem in London and, to a

## CONGESTION AND OVERCROWDING

somewhat lesser extent, in some of the larger English and Scotch cities.

Room overcrowding is a very different thing from land overcrowding; but here, too, there are difficulties in the way of establishing arbitrary standards. What constitutes room overcrowding? The only standard that has been adopted heretofore in this country has been the standard of a minimum amount of cubic air space. In most cities this standard has been 400 cubic feet of air for each adult, and 200 cubic feet of air for each child under twelve years of age occupying a room. Such a standard is valueless. To illustrate: A bedroom seven feet wide and ten feet long and nine feet high contains 630 cubic feet of air. Let us assume it is well lighted and ventilated, with a large window opening directly on a broad street, and that the room communicates with other rooms with plentiful windows and through ventilation. No better bedroom could be devised from the point of view of health and sanitation, and yet a man and his wife, or two boys fourteen years of age, could not under such a requirement of law legally sleep in this room, because there is not 400 cubic feet of air for each.

If 400 cubic feet is not the proper minimum, what is the proper minimum? Shall it be 600 or 800 or 200? Study of the problems involved leads to the conclusion that not only the question of cubic air space must be considered, but far more important must be the kind of air supplied



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to the room and the *frequency of its renewal*. It would be far better to permit a family to sleep in a room containing but 400 cubic feet of air of excellent quality and frequently renewed, than to permit them to sleep in a room containing four times the amount where the renewal was not so frequent nor the source of original supply so satisfactory. It makes a very great difference whether the air comes from a broad street or from a narrow alley, from a large backyard or from a narrow air-shaft. These considerations are generally lost sight of in the discussion of this problem. This question like the question of land overcrowding can not be determined by any arbitrary standard.

But while our theoretical standards may vary, and while workable legal limits are yet to be determined, there are undebatable relief measures which may be undertaken. The problem of congestion is largely one of distribution, both within and without the city. Every effort should be made to encourage people to leave the crowded quarters of the large cities and return to country or suburban life. This is easy to say but difficult to accomplish. The causes which have led to the concentration in the cities of this large population militate against its distribution.

As a rule, people live in cities because they like city life; because they find there social and industrial opportunities which are not to be found in country districts. Those persons in cities,

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however, who have a liking and aptitude for rural life should be encouraged to move to the country. To be effective this should be done in an organized way and with a definite realization of what is necessary. The main thing is to insure to them equal or better opportunities for earning their livelihood. Educational and social advantages must be provided as well, if a movement of this kind is to succeed.

When this has been done, however, and those in the cities who can be induced to seek their fortunes in the country have done so, there will still remain a vast number of people who must be housed in cities. The great majority of the working people will always live there and every effort should be made to see that they are housed under proper conditions.

Not only should efforts be made to remove people from the city to the country, but attempts should be made, so far as may be practicable, to induce persons living in crowded districts to move to the outlying sections of large cities. Through an organized campaign there should be brought home to them the advantages thus to be found: the cheaper rents attainable, the better light and air, the better school advantages, the opportunity for healthful play for their children, the possibility of quiet and of individual life.

To thousands, however, this appeal can not be made. Neither country nor suburban life is attractive to them. Their enjoyment is found in the

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stir of city life, the crowd, the constant social activity. The easier opportunities for employment, the theatres, the lighted streets, the saloons, the lodge meetings, the dancing academies, churches, settlements, all prove potent attractions, and only a comparative few of the ordinary tenement population have any desire to leave these things for the advantages of life in the less densely settled districts.

In addition to attempts to get people out of the city and to distribute them within the city, if congestion of population is to be overcome and overcrowding prevented, efforts addressed to the problems of land overcrowding and room overcrowding, separately, must be made. There must be devised some practicable plan of restriction of population within the city itself and some adequate method of preventing room overcrowding. The only practicable way to remedy land overcrowding, so far as the future is concerned, is to limit the height of dwellings and also the area of land that may be built upon, thus reducing the number of people who can occupy it.

This, however, will not remedy existing conditions. The only way that these can be improved is by tearing down large areas and rebuilding, following the precedents established in European cities. Thus far no such scheme has been carried out in any American city. The chief obstacle to it is its excessive cost. When we consider that an ordinary block in the tenement districts on the Lower



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East Side of New York is worth from \$1,000,000 to \$1,500,000, it is obvious that the city can not embark upon improvement schemes of this nature to a very great extent without imposing insupportable burdens upon the taxpayers.

Room overcrowding is bound up with another social problem; namely, the lodger evil. This prevails chiefly among the foreign elements of the population, more especially among the Italians and Poles, and in some cities, the Hungarians and other Slavic races. It also prevails among the Jews in the larger cities. It is fraught with great danger to the social fabric of the country. It means the undermining of family life; often the breaking down of domestic standards. It frequently leads to the breaking up of homes and families, to the downfall and subsequent degraded career of young women, to grave immoralities—in a word, to the profanation of the home.

Its economic consequences are also serious. To it may be charged, in large degree, the high rentals which prevail in many cities. Probably no more curious instance occurs of the peculiar intertwining of cause and effect. Often, the inadequate earnings of the poor immigrant make it necessary to supplement the family income by taking in boarders or lodgers. In many cases, such necessity does not exist, but the parsimonious habits of the people lead them to adopt this way of adding dollar to dollar. It is hard to tell to what extent the practice is due to necessity and to

what extent to avarice. The result is the same in both cases. The effect soon is to raise rents. Landlords are quick to realize that their tenants have augmented the family earnings by subletting a portion of their rooms. The rooms at once become more valuable because a larger revenue can thus be secured and rents are promptly raised. Thus, in a short time, the tenant is no better off than before; in fact, worse, because the practice has spread and standards of living have been readjusted. The total family income, though now greater, is still relatively where it was before, because of the increased cost of living.

No adequate method has as yet been devised of effectively preventing room overcrowding. The attempts made thus far have all been in the direction of limiting by law the number of people occupying a room with reference to the amount of cubic air space in it. Unfortunately, such a provision is almost impossible of enforcement. In order to enforce it, inspections must be made at night. It is only then that the lodgers and boarders, the chief causes of overcrowding, are to be found. To question the tenement dwellers in the daytime with regard to their practice of taking in boarders or lodgers is to ask them to convict themselves, and such investigations are obviously of little value. To adequately carry on night inspections of the homes of the poor would require an army of inspectors. It would involve, moreover, an invasion of the privacy of the home,

### CONGESTION AND OVERCROWDING

which is repugnant to American institutions. The routing out of workingmen's families after midnight in order to determine whether they have boarders or lodgers living with them would be intolerable.

To cope with the problem of overcrowding and the lodger evil effectively the law should place upon the landlord the responsibility for an undue number of people in his house, as it has already placed upon him in the case of women of ill-repute responsibility for their character. In certain classes of tenements the taking in of lodgers or boarders, except with the written consent of the landlord, must be prohibited and the landlord must be held responsible for any departure from this rule. This principle has not as yet been recognized by any American city, but it is one that must be established if this evil is to be overcome.



#### **IV**

### **THE HOUSING PROBLEM A THREE-FOLD ONE**





#### IV

### THE HOUSING PROBLEM A THREE-FOLD ONE

THE housing problem is a three-fold one and concerns the future, the present and the past. I put the future first.

Effort at housing reform should be directed first toward preventing the erection of buildings which are not suitable for people to live in. It is better to shut the stable door before the horse is stolen. The first duty is to safeguard the future, to prevent the growth of new slums, to prevent the creation of types of buildings which will later become a menace to the community.

The housing problem also concerns the present. Provision must be made for the proper maintenance of all houses. The state must see to it that the dwellings of the poor—of those members of the community least able to protect themselves—are maintained in a sanitary condition, are kept in repair, are provided with the necessities of decent living.

Housing reform also concerns the past. It must remedy the mistakes of earlier years; it must make up for the neglect and carelessness of

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preceding generations, and must bring about such changes in the older buildings as are necessary to make them fit for human habitation and prevent their being an influence for disease and death.

The housing problem is in another sense a three-fold one and must be considered from three different points of view: the sanitary, the structural, the social. From the point of view of sanitation, effort at housing reform should concern itself with provision for adequate light and sufficient ventilation in all buildings, for a sufficient water supply within the houses, preferably in each apartment, and for proper sanitary conveniences. Provision must be made for the collection of garbage, and other waste material with sufficient frequency, for the cleanliness of those parts of the building used in common by several families, with fixed responsibility for their proper maintenance; and where many families live in one house, for the employment of competent housekeepers or janitors to look after the building. In the older houses privy vaults and sinks must be abolished and more modern conveniences substituted; antiquated earthenware drains must be done away with.

From the structural point of view, provision should be made for reasonable protection in case of fire. Where many people dwell in one building, fire-escapes that will permit quick and ready egress must be furnished. The determination of what is necessary must depend upon the number

#### HOUSING PROBLEM A THREE-FOLD ONE

of people living in the building, the nature of its construction and the effectiveness of the local fire-department service.

In future buildings methods of construction should be required that will minimize the danger from fire. Here, as elsewhere, one should avoid arbitrary standards. There is a popular conception that fire-proof buildings are essential. They are not. To decree that every tenement house erected in the future shall be of fire-proof construction may be a great mistake. The result may be, as it has been in some places, the complete cessation of the building of new houses for the accommodation of the poorer members of the community, resulting in a dearth of living accommodations, forcing up rents and compelling people to live in the older and more dilapidated buildings; thus defeating the very purposes of those who had brought about such enactment. Requirements of such nature must be reasonable; they must address themselves to the facts.

The decision must be based upon a study of the frequency of fires in a given locality, the number of lives thus lost annually, the cost of building construction, land values, rents and similar questions. Even in the great city of New York, in its most congested districts, where land values are at their highest, where the population of each block frequently ranges from 2500 to 3000 people and where the houses are built up solidly in rows of six-story tenements with twenty families in

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each, the most ardent advocates of housing reform have not deemed it wise to enact that all future tenement houses even in those sections shall be of fire-proof construction. Instead, a type of building has been permitted to be erected in which the special danger points have special safeguards thrown around them.

From the social point of view, effort at housing reform must concern itself with a vast host of questions: the questions of overcrowding, congestion of population, the lodger evil, the adaptation of diverse foreign peoples to American conditions, the difficulties of adjustment to the new environment with the impediment of a strange language, the lack of educational opportunities, the sweating system—that evil by which homes are turned into workshops and outside workers are brought in to intrude upon the family life—the lack of opportunities for healthful recreation and play, and the difficulty of ordinary social intercourse in the cramped surroundings. These are but some of the more important questions which must be carefully studied. Each is a problem in itself, but each is closely interwoven with the housing problem. The housing problem should not be considered without reference to them, nor can these problems be adequately treated without reference to the home environment.

The housing problem is in another sense, still, a three-fold one. It must be considered from the point of view of the landlord, the tenant and the



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community. There is grave danger that housing reformers in considering the welfare of the tenant may fail to consider the point of view of the landlord. It must be clearly recognized that the landlord has a right to a legitimate profit on his investment. On the other hand he must not be permitted to wring an undue profit from it at the expense of his tenants. There are all kinds of landlords and all kinds of tenants. Many owners promptly make repairs, provide every reasonable convenience for the occupants and take pride in keeping their property in first-class condition.

But there are also landlords who neglect their houses, who make no repairs except under compulsion, who care little whether their tenants suffer inconveniences and sanitary evils, and whose chief interest is in obtaining from their properties the largest possible return upon their investment. Similarly with regard to the tenants: there are good tenants and bad tenants. The conception of some landlords that most tenants are destructive, disorderly, anxious to get all they can out of the landlord, willing to leave with many months' rent unpaid, is applicable only to a limited number.

Finally, regard must be had for the welfare of the community. The injury caused to the whole social fabric, the effect of bad housing conditions in producing vice, crime, poverty, disease, sickness, death, must be weighed and considered. The community has an interest in such questions

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quite equal to that of the landlord and the tenant. All these various interests must be fairly considered. No one must unduly preponderate.

The housing problem is in another sense a three-fold one, and must be considered with regard to the existing conditions, the laws, and their administration. Beyond all other things effort at housing reform must proceed upon carefully ascertained exact knowledge of the conditions which require remedy. The laws which are put into effect to remedy those conditions must not be arbitrary enactments based upon the theoretical views of social enthusiasts, but must be the result of carefully worked-out, practical consideration of the problems involved, and adapted to the peculiar local conditions it is sought to remedy.

There is a tendency in many communities—and a very unfortunate one—to copy in a rather unimaginative way some law enacted in another city, acting apparently upon the hypothesis that what is good for one place is good for another. Housing legislation upon such a basis will not succeed, and should not succeed. While it is true that each city should take advantage to the fullest extent of the experience of other cities, studying the laws that have been there enacted and embodying in their own statutes their best features, the fact remains that the wisest law is one which is exactly fitted to meet the peculiar local conditions.

It is useless to put forth time and effort in securing the enactment of legislation unless the

#### HOUSING PROBLEM A THREE-FOLD ONE

means are provided for its prompt and thorough enforcement. It is a common experience to find communities enacting elaborate laws for the regulation of social evils of various kinds but failing to provide machinery for their enforcement. This may satisfy a desire for intellectual activity on the part of groups of enthusiasts, but can not go far toward remedying adverse social conditions. Nearly every state is thus encumbered with numerous laws that are never or seldom enforced.

Not only must the administrative machinery be provided for by law but adequate financial provision for its support must be made by the local authorities.

A lesson in this regard is to be learned from New York's experience. Eight years ago a comprehensive scheme for the improvement of the older tenement houses in the more essential particulars was provided in the Tenement House Act of 1901. Owners were required to remove unsanitary privy sinks, to cut windows into dark rooms, to lighten dark halls, to concrete cellars and to make other structural changes. They were given a year's time in which to do this. Adequate administrative machinery was provided through the creation of a separate city department known as the Tenement House Department, one of whose functions was to see that these changes were carried out. Only now, however, eight years later, has this department received from the local authorities a sufficient appropriation to



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enable it to do this work. The result is that the larger part of the work has remained undone during all of this time and thousands of the city's population have had to continue life under those adverse conditions which the legislation had decreed eight years ago should cease.

V

**HOW TO START A MOVEMENT FOR HOUS-  
ING REFORM**

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## V

### HOW TO START A MOVEMENT FOR HOUSING REFORM

THE failure to remedy bad housing conditions in many communities has been due not so much to lack of understanding of the conditions themselves, as to lack of knowledge of the best method of remedying them. The first step is the formation of a committee of public spirited citizens, conscious of the dangerous effects of bad environment and anxious to remove, so far as may be practicable, the adverse conditions under which many people are compelled to live. Such a committee should be carefully selected and organized. Its function is a two-fold one: first, to ascertain the facts and formulate the remedies; second, to educate the community with regard to the conditions discovered and the means at hand for their amelioration. It must therefore be a body sufficiently wise to prosecute its inquiry and urge its reforms in a practical and sane way, and also one that will command public confidence.

As the questions with which it is to deal are those of building construction, architectural planning, fire protection, sanitation and modern social

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problems, the committee should preferably be composed of leading representatives of the professions actively dealing with such problems. Where it is possible, it should have among its members a practical architect, a builder of the better grade, a sanitary engineer or high grade plumber, the chief of the fire department, the superintendent of buildings or similar official, a leading physician, a leading lawyer, a prominent real estate man, a leading social worker—either the head of a settlement or of a local charitable society familiar with the conditions under which the poor live—and such other prominent citizens as would naturally be interested in a movement of this kind from the humanitarian point of view and whose standing in the community would add weight to the committee.

But the essential element for success is an efficient and homogeneous committee that commands public confidence and can readily work together. No variety of professional experience should outweigh this essential element.

In selecting the personnel, care should be taken to avoid the appointment of public officials who are merely politicians and neither interested in the inquiry nor actively familiar with the work of their own departments. It is important that the various representatives mentioned should not only be deemed representative by the members of their own professions, but also by the general public. Too much emphasis can not be placed

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upon the desirability of having the committee so constituted that it will seem to the public a practical body. As a rule it is desirable that it should be composed entirely of men.

The best committee, however constituted, will make little progress unless it secures a competent executive. The difficulty of securing such men has been one of the main reasons why the improvement of housing conditions has not made more rapid progress in many American cities. The right man must combine so many different qualities. He must understand practical building construction; he must understand plumbing and modern sanitation; the essential principles of light and ventilation; he must be familiar with the conditions under which the poor live; must be able to discriminate between necessities and conveniences; must have a sense of proportion, an appreciation of values—of the relation between what is possible and what is desirable; the ability to present facts in a way that will be convincing to the public; a knowledge of the purposes, methods and scope of social investigations, and an ability to handle the results obtained from such inquiries. He must also possess the faculty of working harmoniously with various groups of people. And above all he must master in advance the arguments of his opponents.

Every movement for housing reform is a battle. Most of them are protracted wars extending over many years. The leader of the campaign must



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have many of the qualities of a good general. Strategy must not be unknown to him.

Vitally important is the ability to get the point of view of the various interests involved in bad housing conditions. There must be breadth of view, fair-mindedness and tolerance of the rights of others, of the owners as well as of the tenants, if a successful outcome is to be had from such a movement.

I have said that the functions of an improved housing committee are two-fold: to ascertain the facts, and to educate the community. It would seem a truism to state that the first duty is the ascertainment of the facts, yet probably no one thing is harder to impress upon persons taking up a movement for housing reform than this. It is true that the facts are known in a general way, but that is not what is meant. The facts must be known accurately, carefully and scientifically. There are no short cuts.

There can be no successful legislation based upon impressions. Reforms not based upon carefully ascertained facts will be found to have no permanent value. You will but enact a law one year to have it repealed the next.

The breast-works which defend the law are made of the materials dug out in the investigation.

## VI

### THE ESSENTIALS OF A HOUSING INVESTIGATION



## VI

### THE ESSENTIALS OF A HOUSING INVESTIGATION

THE purpose of all housing investigations is primarily to find out exactly what the conditions are, so that appropriate action may be taken to bring about their amelioration. Such an inquiry, therefore, must be directed to practical ends. It must concern itself not only with present conditions, but with past causes and future tendencies. It is not to be treated as a sociological investigation. If it is so treated, it will have little permanent value in improving conditions. Nor is it to be prosecuted from the point of view primarily of increasing the knowledge of the community with regard to the conditions under which people live. That will indeed be one of its important by-products, but its main end should be the formulation of measures by which the adverse conditions discovered may be remedied.

No part of a housing investigation is of more importance than the formulation of the schedules to be used in the inquiry, and no part is usually approached with so little knowledge of the facts to be disclosed. Often because of the interest

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aroused in the community and the pressure brought by members of the committee, there is the temptation to hurry into the field with investigations, prematurely, before a comprehensive plan has been worked out. Such procedure is a costly waste of effort and money. The results obtained are invariably unsatisfactory, and often many phases of the inquiry have to be done over. A month or more may very well be taken in the preparation of housing schedules, especially where the person making the inquiry comes to the task without special knowledge of such investigations. It will repay the investigator, before adopting his final schedules, to put them to actual test in the field for some days, as it will generally be found that many changes are necessary in order to make the schedules serve their full purpose.

The preparation of such schedules often taxes all the resources of an investigator. Certain important points should be borne in mind. Experience shows that schedules of this nature should be in card form, thus permitting the filing of the records with regard to individual buildings in a systematic and readily accessible way. The best size card to use is one five inches wide by eight inches long. This is a standard size and can be obtained in stock. Cards any smaller than this will be found insufficient to contain the various facts that it is necessary to ascertain. Different colors should be used for different purposes.

In general, the various points expected to be



## ESSENTIALS OF A HOUSING INVESTIGATION

covered should be anticipated and printed upon the card, leaving to the investigator merely the task of checking the various classes of facts discovered in the inquiry. This is important for two reasons: first, in order to save the time of the investigator; second, so as to present the same classes of facts in the same way with regard to each building, family or block that may be the subject of the inquiry. If, instead of this, each investigator is allowed to write in what his judgment suggests with regard to each class of facts, it will be found, when it is sought to tabulate the results of the inquiry, that they are not susceptible of tabulation, and that, instead of having a clear, concise, definite report of conditions found, there will be nothing more than a mere jumble of impressions, from which it will be difficult to give the public a clear conception of the actual conditions.

The records should be made in ink. Investigators should not be permitted to use note books and to copy the facts from their note books on the cards at home or in the office. Such a method is not only an unnecessary duplication of work but fatal to accuracy. The cards are for actual field use and should be so designed as to facilitate such use. Quite frequently persons making housing schedules arrange the facts that are to be noted on the cards in such order as they happen to occur to them. The result is that often an investigator, if he follows his card schedules (as he must) is called upon to record certain facts



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with regard to the cellar of a house, is then called upon to record facts with regard to the roof, then suddenly plunged to the cellar again, then to some of the apartments, perhaps on the third floor, then to the out-premises, and so jumped from one portion of the building to another, involving an unnecessary waste of time and effort.

The properly prepared schedule\* arranges the classes of facts to be noted, in the same order on the card as will be actually followed by the investigator in his progress through the building, beginning either at the cellar and ascending through the building to the roof, or beginning at the roof and descending to the cellar and out-premises.

Where there are many apartments or families in a building and it is desired to learn many facts with regard to each apartment or family, it will be found essential to prepare separate schedules for each apartment or family, separating the facts thus ascertained from the general points of information with regard to the building itself.

In preparing card schedules it is important that the method of printing should embody, so far as practicable, a scheme of classification of the more important classes of facts to be ascertained. Thus, one style and size of type should be used to indicate certain classes of facts, like cleanliness and repair; and a subordinate size and style of type to indicate sub-topics under each one of these classes.

\*See sample schedules, pages 199-203.

## ESSENTIALS OF A HOUSING INVESTIGATION

How to do away with the conflicting judgment of different individuals is one of the problems that is most perplexing. How is one to tell the number of dark rooms, for example, where there are such conflicting opinions in the minds of the investigators as to what a dark room is? What constitutes a dark room, and a very dark room? Even more confusing are reports rendered with regard to conditions of cleanliness and uncleanness. What is a dirty hall? What one person calls a dirty hall another may call a clean one. Similarly with regard to repair: To be told that a house is in good repair or in poor repair means little. What seems poor repair to one man seems very bad repair to another.

As a means of counteracting this difficulty so far as may be practicable, a plan has been devised by which it is sought to have the investigator report the conditions found not only by an adjective but also to indicate on a percentage basis his opinion as to the state of affairs disclosed: Thus, in reporting as to cleanliness it is suggested that the following scheme be adopted: That the investigators be allowed to answer only in the following terms: "Very Clean," "Clean," "Dirty," "Somewhat Dirty," "Filthy," and in addition be required to indicate these facts on a percentage basis, thus—"Very Clean" shall be deemed 100; "Clean," 80; "Somewhat Dirty," 60; "Dirty," 40; "Filthy," 20. Similarly with regard to repair: The investigator should be permitted to answer in



## VII

### MODEL TENEMENTS AND THEIR LIMITATIONS

IN the popular mind the solution of the housing problem lies in the building of "model tenements." Probably the first suggestion that is made when a group of people take up the housing problem for the first time is to build a model tenement. It is strange that intelligent people should believe that the building of one house of this kind in any city can have any very appreciable effect in solving the housing problem. I doubt whether such belief is ever consciously held. What happens is that people see bad housing conditions and say to themselves: "The poor should have decent houses to live in. They have built model tenements in other places. In some cities they have been very successful. Suppose we build one." Underlying this is the desire to get quick results, to see quickly realized the tangible product of one's efforts.

Such a point of view indicates lack of imagination, a failure to appreciate the extent and influence of the bad conditions that exist and the limitations of the influence of one model tenement.

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Perhaps back of all, in the minds of those who really do think this far, is the belief that it is necessary to demonstrate: first, that the poor really want improved housing conditions; second, that model tenements will pay in that particular city and, third, that when they have demonstrated these two things the influence of their effort will be so great that it will lead other persons to build similar houses and thus gradually provide more accommodations of this nature for the working people.

It would hardly seem necessary to comment on the state of the philanthropic education of a community that needs to have demonstrated to it in so expensive a way the fact that the poor desire improved and decent dwellings. It is a singularly provincial view which thinks it necessary to show that model tenements will pay in a particular locality, in view of their success for over fifty years in many of the large cities of the world.

Finally, the belief that the ordinary commercial builder will be led to build improved tenements because of the object lesson afforded by the particular model tenement in question, is chimerical. The commercial builder is not influenced by such considerations. His sole interest in building houses is to make money. He is going to build those houses that will net him the largest return, unless he is prevented by legislation. Nor will he voluntarily give up any



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share of his profits in order that the future tenants of the building may have more conveniences. This is not a theoretical view. There is no city in America where model tenements have been built in which they have materially influenced the ordinary commercial builder.

That persons really seeking to improve housing conditions should be willing to limit their efforts to the construction and management of a model tenement and be satisfied with the narrow results that flow from such an effort is disappointing. They do not seem to ask themselves: "How many people will this effort of ours reach? While we are building this one model tenement, which may at the best house 50 families or 250 people, how many unsanitary tenements will be constructed by speculative builders and how many thousands of people will be compelled to live in them?"

Nor do they ask, "How many families are still being compelled to live in the old, dilapidated, unsanitary houses in which they now live?" There seems to be no appreciation of the relation of their efforts to the community as a whole; no conception on their part of the number of people for whom proper housing accommodations must be provided and their total inability to meet these needs through the building of one or even several model tenements. The question of the distribution of such houses is also ordinarily lost sight of. People fail to realize that the building of one model tenement in the east end of the town is of



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very little advantage in improving the housing conditions of the people in the west end or in the south end or in some other quarter.

The building of model tenements is in no community a solution of the housing problem. If there are large numbers of people living in tenements insufficiently ventilated, in rooms partly underground, the building of a model tenement, even in that neighborhood, will remedy these conditions only for the few who live in it, and as long as conditions remain unchanged, people will continue to suffer under them. The situation of the thousands of people who must still live in houses that are dilapidated and out of repair, is in no way improved by the building of a model tenement in their city. If many families must still live in rooms the majority of which are dark, the building of a model tenement does not help them. If thousands of people are compelled to live without adequate water supply and with unsanitary plumbing, the building of a model tenement in no way improves their condition.

The only way to improve the bad housing conditions that exist—defective plumbing, dark rooms, unsanitary premises and all the other evils—is to improve those conditions; namely, to prohibit cellar dwellings and to compel the owners by legal enactment to let light into the rooms, to clean up the premises and keep them clean, to provide water supply, &c.

Moreover, good intentions do not make a model

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tenement. To build a successful one requires a knowledge of the conditions under which the poor live; familiarity with the best and wisest methods of planning; an appreciation of the peculiar local conditions which exist in each neighborhood and the selection of the appropriate locality for the building. Even when all these requirements are observed, the whole enterprise may be wrecked because of the inability of the persons interested in it to properly manage it. The management of a tenement house is not an easy task, especially where the building contains a considerable number of people of foreign nationalities. Too often the persons interested in such enterprises are unfamiliar with the actual conditions under which the poorer people live, and are apt either to be extravagant in the construction of the building, to go to unnecessary expense, to waste space in unwise planning, or to so manage the house after it is erected that it becomes a failure.

The history of the first model tenement in New York is strikingly interesting. It was built in 1855 by a group of public-spirited citizens who desired to improve living conditions. It was known as the "Workmen's Home." One of the most interesting things connected with it was the statement made in the prospectus, that "Every room is well ventilated, having air flues from each to the roof." When it is known that there were on each floor twenty-eight entirely dark bedrooms, with only such ventilation as might be obtained

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from the public hallways or from a flue about the thickness of one brick in one of the walls, this statement seems rather astonishing to our present-day notions of what constitutes adequate light and ventilation. A few years after the building was erected it degenerated into one of the worst houses in the city and became the resort of thieves, prostitutes and the criminal classes generally.

Another house built somewhat more recently has never been able to pay more than three per cent on the investment, sometimes not that, because an undue amount of land was left vacant and the building was unwisely planned. A third experiment of this nature recently terminated after considerable financial loss. After a life of seventeen years, the property was abandoned by its philanthropic owners and sold to some real estate speculators, who shortly after altered the building, with the announcement that they found it necessary to do so to make it a paying proposition and to bring it up to the standards demanded by the tenants.

The failure of these enterprises does not indicate that model tenements can not be built that will succeed, but does point to the fact that there are difficulties to be encountered which the average philanthropic person without experience does not think of when it is proposed to start an enterprise of this kind.

The various model tenement enterprises in this country have manifested themselves in two forms.



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First, the building of improved houses with the expressed intention of furnishing comfortable and pleasant living accommodations to the poorer members of the community at rents lower than the prevailing rentals. Such enterprises must be regarded strictly as charity. They are very undesirable and exert a pauperizing influence as do other forms of outdoor relief. They also invariably injure the cause of housing reform.

The other form of effort, frequently designated by the title "Philanthropy and Five Per cent," is found in the work of those persons who, recognizing the unfortunate effect of such charity, build model tenements with the determination that their work shall be conducted as a business enterprise; that unless they can get a fair return upon the money invested it shall not be carried on; and that the accommodations furnished shall not be at rates lower than the prevailing rents in the neighborhood. Such enterprises have in most cities been successful. They have paid a fair return on the investment, generally about five per cent; in a few cases more, in a number of cases less. The most successful of them are the very excellent buildings of Mr. Alfred T. White in Brooklyn, the first of which was erected in 1877, and those of the City and Suburban Homes Company of New York City, which date from 1896. In Boston there are also several companies which have been uniformly successful in this field of effort.

The great objection to the building of model

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tenements as a solution of the housing problem is that it means, as a rule, the complete diversion of the interest, energy and financial support of benevolent people who genuinely desire to improve the condition of the poor away from lines of effort that are fundamentally corrective towards those that are merely palliative. Until adequate restrictive legislation has been passed and the certainty of its enforcement secured, there should be no talk of any other form of effort in housing reform.

Those who contemplate building model tenements before this has been accomplished, should clearly recognize that they are not making any substantial contribution to the solution of the housing problem; that they are benefiting the few to the exclusion of the many; that they are, at best, cultivating one small corner, while the length and breadth of the field remains untilld.

The same amount of energy and effort that is put ordinarily into the formation of a model tenement company and the building and management of one or two groups of model tenements, applied with proper intelligence to a movement for legislation preventing the construction of bad types of dwellings, insuring the construction of good ones, and securing the proper maintenance of all dwellings, will yield a thousandfold greater results.

The community must see to it that houses are not built in the future that are unfit for its citizens to live in—in a word, that structurally

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every tenement house in the future shall be a model tenement. The community must also see to it that the homes of the poorer classes are maintained in a decent and sanitary condition. It takes more effort in the beginning; it requires more skill, more patience, more imagination; one must be willing to wait a few years to see the fruition of one's efforts. But when once realized they are realized practically for all time.

The relative extent of the influences resulting from the building of a model tenement and the influences resulting from the enactment of proper housing laws is seen in the actual experience of different American cities. The experience of New York, where the greatest effort for housing reform has been made and for a longer period of time than in any other place, affords a striking illustration. The movement for housing reform in that city was begun over sixty years ago. During that time various similar movements have been organized at intervals of about ten years. The first organized movement was forty years ago.

During these forty years, through the efforts of philanthropically inclined persons, there have been built in the Borough of Manhattan 25 groups of model tenements equivalent to 89 separate houses, providing accommodations for 3588 families or 17,940 persons. In the same period of time the speculative builder has built approximately 27,100 tenement houses, most of them of a very objectionable type, unsanitary buildings, with many



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dark rooms, narrow air-shafts, improper ventilation, inadequate plumbing and absence of proper sanitary conveniences, insufficient privacy and great danger in case of fire. In these buildings are housed approximately 253,510 families or over one million and a quarter of people (1,267,550). That is, while philanthropic people in this period have been building model tenements for 17,000 people, the ordinary builder, unrestrained by adequate restrictive legislation, has provided unsanitary homes for 1,267,550 people.

In other words, for every 13 people who have been provided with model tenements, 1000 others have been condemned to live in unsanitary ones.

Had the same effort which went to the building and management of these model tenements been expended in securing the enactment and enforcement of proper housing laws, most of the housing evils in New York City would not exist to-day. That this is not a theoretical view is fully proven by the operation of the present tenement house law. This law, enacted in 1901, was the first adequate legislation to control and regulate the future type of tenement house in this city and ensure the building of houses with sufficient light and ventilation, proper sanitation, privacy and reasonable protection against fire. Every house built under its operation is, in these essential particulars, equal to the best model tenements constructed in New York in recent years.

During the period of seven years in which this

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law has been in operation philanthropic persons interested in the building of model tenements have built 13 groups of buildings, equivalent to about 37 separate houses, providing living accommodations for 1871 families or 9,355 persons. During the same period the ordinary commercial speculative builder, building for his own profit and without any thought of the welfare of his tenants, has built 21,761 houses providing accommodations for 253,255 families or over one million and a quarter persons (1,266,275), equal in the essential respects above noted to these model tenements.

To put it in another way, philanthropy in this period has provided but seven-tenths of one per cent of the improved living conditions while  $99\frac{3}{10}$  per cent has been provided by the speculative builder restrained and controlled by wise legislation.

And this has all been brought about by the enactment of a law which compels the building of proper houses and forbids the erection of others.

Houses once built stay a long time. It will be generations before bad types of houses are destroyed, and when structurally wrong, it is difficult, almost impossible, to adequately improve them.



## **VIII**

### **MUNICIPAL TENEMENTS AND MUNICIPAL REGULATION**



## VIII

### MUNICIPAL TENEMENTS AND MUNICIPAL REGULATION

WITH the increasing trend in this country in recent years toward municipal operation of public utilities and the extension of municipal functions generally, there has been a growing demand for the construction and management of tenement houses by the municipality.

It is no part of the function of this book to enter upon a discussion of state socialism or the relative advantages and disadvantages of the municipal operation of public utilities. The question we have to consider is whether the housing problem in any given city will be best solved by having the municipality undertake the building and management of tenement houses.

This is a question which must be settled by each city with reference to its experience in the conduct of its municipal affairs. The experience of other American cities in this direction must also be taken advantage of.

Now what are the conclusions which lead to the belief that the solution of the housing problem is to be found along such lines? The argument



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most commonly advanced by the advocates of municipal tenements is that such enterprises have been carried on, on a very large scale, in other countries, especially in Germany and Great Britain, and have been very successful.

That municipal tenements have succeeded in Europe, is hardly a reason for urging such an experiment in America. Political conditions here are totally different. Here there is not the same tenure of office in municipal administration. Permanency of administration is essential to success in such enterprises. The shifting of responsible officers every two or four years in itself precludes the possibility of success.

Moreover, no European city—certainly not the great cities of England, Scotland and Germany where such enterprises have had their greatest success—has had to deal with anything but a homogeneous population. No such city has been called upon as American cities are called upon to assimilate a constantly increasing crowd of immigrants, representing nearly every nationality in the world. Nor have such cities had to face the problem of adjusting their municipal government to widely varying standards and methods of living, hampered by the inability of the varied population to speak and understand a common language.

The advocates of municipal tenements, recognizing that many of the housing evils of to-day are due to the failure of individual landlords to realize their responsibilities, undoubtedly believe that if

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once the city becomes a landlord it will have a higher sense of responsibility, and that the public will hold it to a higher standard of administration. It is also probably their view, even though not often consciously expressed, that the city will not enter upon such an enterprise with the idea of making money from it, and that, therefore, the money that now goes to the profit of landlords and builders could be devoted either to the reduction of rents or to the building of better houses and the provision of more comforts and conveniences than are now enjoyed by the ordinary tenement-house dweller.

Taking up the first of these arguments, that a higher standard of administration in the management of tenement houses may be expected from the city government than is now had from numerous individual owners, let us consider what basis in fact there is in the experience of any city in America to warrant such a belief. In the first place, who are the people who actually will manage the municipal tenements? In every American city, if this experiment were undertaken, the management would necessarily be left to one of two classes of persons: either politicians, appointed to office for political reasons, or persons appointed to office as a result of competitive civil service examination.

Is there any doubt as to the kind of tenement house management that would result from placing the control of numerous tenements in the hands

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of the ordinary politician? Hardly more than mere allusion need be made to the obvious opportunities for political patronage afforded by the municipal operation of tenement houses. How difficult it would be to withstand the appeals of the district leader that families about to be dispossessed for failure to pay their rent promptly should be permitted to remain in the city's tenements until such time as they could hope to meet their obligations; and how that time would lengthen from month to month! How important would be the power before election time of assigning the municipal dwellers to various districts, and what tempting opportunities this would offer for the colonizing of voters! City life is sufficiently complex now and the municipal problem sufficiently difficult, without further encumbering it with the numerous complications which would result from municipal tenements.

On the other hand, what sort of administration of such enterprises could be expected from the kind of person that would be appointed as a result of a civil service examination? Anyone who has administered public office in any of our large cities and been compelled to appoint his subordinates by this method knows how difficult it is, as a rule, to secure in this way, men of the requisite experience and capacity for administrative positions.

In addition to the difficulties to be encountered in securing the right kind of officers to administer



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such enterprises, are the very serious difficulties with which public officers must contend, in the nature of restrictive legislation, which hampers the free management of public affairs—provisions of city charters and various enactments of legislatures framed with an intent to prevent corruption, and all of which would especially hamper and obstruct such an official in the performance of his duties. For instance, in several cities no contract amounting to \$1,000 or more can be let without public bidding and without advertisement for a period of several weeks, and then the official in question is compelled by law to award such contract to the lowest bidder.

If cities are to embark upon municipal operation of tenement houses, most of our present laws with regard to the conduct of public affairs will have to be wiped off the statute books. The civil service laws in many cases will also prove a serious bar to proper and efficient administration. The inability of a public officer to readily and promptly discharge an incompetent employe would seriously complicate matters. What a delicious situation it would be where the janitor or housekeeper of a tenement house could not be discharged for incompetence except after a trial, with the proceedings subject to review by the courts upon *certiorari*!

If the city is to enter the field of building operations and compete with private capital and is to build its houses without thought of profit, private

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enterprise will in a short time be driven out of the field. It can not compete with municipal undertaking. The result will be that in a short time the municipality will find that it must occupy the entire field. The only houses that will then be built for the accommodation of the poor will be built by the city. Private builders will have ceased to operate. What this means can best be appreciated when it is understood that in the City of New York for example, one hundred and twelve million dollars' worth of tenement houses were built during the year 1906. That the city should embark upon so vast an enterprise as the provision of dwellings for the majority of its citizens is not to be contemplated.

This question, however, is not to be determined upon any theoretical basis. The question which each community must face is: What is there in the experience of that particular city in its municipal administration that would indicate that those entrusted with the administration of the city's affairs are likely to build and manage tenement houses in a better way than they are now built and managed by individual owners?

This is a matter which it should not be difficult to decide at any time. The citizens of any community have before them at all times a constant object lesson as to the efficiency of their municipal officers and the desirability of entrusting to them new and enlarged functions. Shall we bond ourselves, the citizens may ask, or increase our



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tax rate, to enter upon the experiment of municipal ownership and operation of tenement houses, and by this means secure better homes for the masses of our working people? Are we likely, not merely with our present administration but with the kind of administration that we have generally had in past years in this town, to have such tenement houses properly managed?

The decision must necessarily rest upon the answer that can be made to the questions: How are our city officers performing the functions with which they are now charged? Are our streets being properly cleaned? Is our police force being wisely administered? Do gambling houses and evil resorts exist? Do public officers sell privileges to practice iniquity? Do corruption and crime flourish? Are our public charities administered as well as they would be administered through private societies? Is our public school system what it should be? Is our Water Department a source of revenue to the city? Are the city's affairs in general adequately administered? Upon the answers to such questions must the decision rest. It would seem that we can wisely postpone so important an experiment until we have achieved better municipal administration of those functions of government which now engage the attention of the authorities.

There is no arbitrary principle which can be laid down deciding that one thing is a municipal function and another is not. The determination

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of what shall be done by the city and what shall be done by individuals must rest primarily upon the consideration of which can do it most advantageously for the community. If it is clear that the city can best perform any particular function with the kind of administration a community is likely to have most of the time,—not the kind it may happen to have at some particular and exceptional period, but the kind that its own experience through a number of years indicates is generally likely to prevail,—it is clear that the city should be entrusted with that function. If, however, experience indicates the opposite, it is far better to continue to leave to private individuals the performance of these responsibilities.

Moreover, what is to be gained by having the government thus extend its functions? Do the advocates of such a plan expect to demonstrate that houses which are sanitary can be built and pay a fair return on the money invested? This has been demonstrated over and over again in the past fifty years. Do they expect that by this method they will be sure that all tenement houses which are erected in the future will be sanitary and provide proper accommodations for the persons who are to live in them? This result has already been obtained by tenement house laws, under which no houses can be constructed which do not provide such accommodations. If the laws did not accomplish this result, the remedy would be to amend the laws.

#### MUNICIPAL TENEMENTS AND REGULATION

The determination of this whole question is to be found in a middle course between the two extremes urged. Housing evils can not be remedied if private individuals are permitted, without restraint, to neglect the rights, comforts and welfare of their tenants. On the other hand, housing evils in America are not to be remedied by having government embark upon the experiment of the municipal ownership and operation of tenement houses. The solution of the question is to be found in the regulation of such enterprises by the state or municipality, as the case may be.

It is eminently the right of the state and of each community to see to it that people are not permitted to live under conditions which make for poverty, sickness, disease and death; which produce pauper, criminal and vicious citizens, whom the state is subsequently called upon to support and reform.

The state has not only a right but a duty to perform and must say to private individuals: "Thus far you may go, but no farther. You shall not be permitted to build a house in which people ought not to live; you shall not be permitted to so mis-manage your house that it is unhealthful or dangerous for people to live in it." It is along the lines of such regulation that the solution of the housing problem is to be found in every American community.

It is by the exercise of the police power of the state that this problem is to be met. The state

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can most appropriately extend the strong arm of the law toward those weaker members of the community who are unable to protect themselves. It is clearly within its duties to protect the community to the fullest degree from the consequences of lack of foresight and from the willingness on the part of individuals to exploit their weaker brothers.

There are, however, constitutional and legal limitations which must be observed, and it is well that there are such limitations. It is not the function of the state to impose upon its citizens through legislative mandate the desires of a limited number of the community to secure conveniences and comforts. Housing legislation must deal solely with necessities, with things that relate to the public welfare. It must distinguish between what is desirable and what is essential, between what a philanthropist may voluntarily do and what the state may legally require.

## **IX**

# **ESSENTIAL PRINCIPLES OF A HOUSING LAW**





## IX

### ESSENTIAL PRINCIPLES OF A HOUSING LAW

**I**F the solution of the housing problem is to be found chiefly in legislation preventing the erection of objectionable buildings and securing the adequate maintenance of all buildings, it is important that such legislation should be based upon sound principles and its limitations clearly defined.

Such laws are pre-eminently for the use of laymen. They must be clearly understood not only by builders and architects, but also by owners of small properties, who are often of foreign extraction, frequently illiterate and unable to understand complicated legal phrases. The first requisite, therefore, is clearness. What the law intends must be quickly and readily grasped. The laws should also be concise in form. Their provisions should be expressed in short, separate sentences, not in long, involved paragraphs. Precision is of vital importance. All terms should be carefully defined. On the other hand, acts of this nature must be so drawn as to stand the test in the courts. In a word, they should be as if written by laymen

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for laymen, and yet at the same time so carefully drawn that every word has its exact legal weight and says neither more nor less than is intended.

In formulating such legislation, one of the essential considerations is the importance of securing uniformity of treatment for all persons affected by its provisions. There must be no discrimination between individuals, nor any opportunity for such discrimination.

One of the first questions to be determined is with reference to the granting of discretionary power to the various enforcing authorities. In the earlier attempts at housing reform, the law-making bodies as a rule hesitate to formulate with care and precision the exact requirements to be imposed upon builders and owners. Instead, realizing that their insufficient technical knowledge makes them unable to anticipate the various practical questions that may arise, they enact sweeping prohibitions and leave the details to the judgment of the Superintendent of Buildings or Commissioner of Health.

While theoretically in many cases it would seem desirable to entrust discretionary power to the enforcing officials—in fact many people believe that laws of this nature can not be fairly enforced without it—the experience of most cities shows that the granting of discretionary power has in nearly every case led to abuse and ultimately to nullification of the law. If one stops to consider it, it is not strange that this should be so. What

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generally happens is well illustrated in the experience of New York City.

Here in 1895 it was provided in a law enacted in that year, that no tenement house erected after that date should occupy more than 65 per cent of the lot. This was the clear intention of the framers of the law. They, however, added a clause to the effect that where the light and ventilation of a building was materially improved the Superintendent of Buildings might permit a greater percentage of the lot to be occupied, but in no case more than 75 per cent. In a word, they departed from their original purpose of definitely limiting the amount of land to be occupied, believing that the enforcing officer might be permitted to use his judgment and permit a larger proportion to be covered in special cases.

Now what actually happened? Within a year, every tenement house that was erected occupied the full 75 per cent of the lot. No one even thought of covering any less and from the very nature of things, nothing else could have been expected. If one architect presents a plan for a new building and the Superintendent of Buildings permits him to occupy 75 per cent of the lot, a competing architect a few weeks later in submitting his plans will demand that he too be permitted to occupy as much. So gradually every architect insists upon his right to cover as much of the lot as his predecessors have done.

There are, however, graver abuses connected



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with the grant and exercise of discretionary power. Nothing leads to municipal corruption so rapidly as leaving indefinitely to a single official the determination of what shall be done in individual cases without possibility of review. Favored architects in a short time, because of their friendship or political influence, or because of a corrupt understanding with the enforcing official, are gradually able to crowd out of business competitors without these advantages or who are unwilling to adopt the methods employed by their less scrupulous rivals. In a short time a situation develops by which a few firms of architects or builders control the entire business of a community.

Further forms of corruption and favoritism are found in practices which flow from this situation, some of which have become the more accepted and most successful forms of modern municipal corruption. The methods of direct stealing from the city which were in vogue some years ago are no longer employed by even the most corrupt public officials. Most of the municipal corruption at the present time is to be found in the furnishing of inside information by which the political friends or business associates of public officers are enabled to make advantageous contracts and business deals—the “Honest Graft” of recent fame.

The way in which this operates in the building industry and in the enforcement of building laws is intimately associated with this question of discretionary power. What often happens is that



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the corrupt city official refuses to grant to some architect or builder what he has granted to many others, stating that the matter is within his discretion. After several negotiations it then develops that if the contract for erecting the building in question—which may in many cases amount to thousands of dollars—is placed with the right firm of builders, or if a certain kind of material is used, it becomes possible for the city official “upon further consideration of the matter” and the presentation of “new arguments” to grant authority to utilize methods of construction which had previously been denied.

It is a very bad principle to make your enforcing officer also your law-making body. The two functions should be kept separate. If the Superintendent of Buildings or the Health Commissioner is competent to determine what the requirements shall be in a given case, there is no reason why he should not indicate these facts in advance to the members of the Legislature and have such determination embodied in the laws of the State, thus enabling all citizens to know with certainty what they may do and may not do, and so remove opportunities for favoritism and corruption.

Every group of persons taking up housing reform will have to face this situation. Pressure will always be brought to bear upon them by the local enforcing authorities to grant to them large discretionary power. Experience shows that this is not desirable. With regard to buildings erected

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in the future, there should be no discretionary power of any kind. In considering, however, laws requiring the structural alteration or reconstruction of the older houses, the situation is different. Here it will be found, owing to the widely varying conditions in different buildings, which make impracticable the carrying out of rigid requirements, that a limited discretion must be given to the enforcing authorities.

In general, however, every effort should be made to avoid indefinite and vague grants of power. Pains should be taken, even though it takes a longer time and involves more work, to state in the law precisely what owners and builders may do. Wherever it is necessary to grant discretionary power it should be limited and clearly defined. Provision should be made for proper publicity in connection with the exercise of such power, so that those interested may acquaint themselves with the rulings that have been made and may insist that the privileges which have been granted to others shall be equally granted to them.

In formulating a housing law its relation to other similar statutes must be taken into careful consideration. In nearly every community there will be found sanitary codes or ordinances, building and health laws and plumbing regulations. In each one of these will be found something bearing on housing conditions. Any tenement house act to be effective must be framed with reference to these other closely allied subjects. There is

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danger in this work, especially where various portions of housing codes are formulated by sub-committees of a larger body, of framing each individual provision only with reference to itself and without regard to its place in the general scheme or plan. Care must be taken to prevent conflict between different provisions of the same act and also to avoid similar conflict between the provisions of the housing law in question and similar enactments already on the statute books.

Future tendencies must be considered as well as present conditions. An excellent illustration of this is had in the failure to realize in earlier years the developments that would come with regard to the greater depth of the buildings and the necessity of larger yard spaces. When the first Tenement House Act in America was passed in 1867, it provided that no building erected after that date should have a yard less than 10 feet in depth. As a matter of fact, at that time few builders thought of building a tenement house with a yard less than 50 feet in depth. The provision of the law, therefore, was of little practical effect.

If the persons who were responsible for the framing of that law forty years ago had realized that in subsequent years conditions would seriously change and that there might be a desire on the part of builders to cover more and more of the land by building the houses deeper on the lots and thus leaving less and less space open for light and air they undoubtedly would have incorporated in



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the statutes of that time a provision that the yards in future tenement houses should be of no less depth than they actually were at the time, namely, 50 feet. This could have been done then without difficulty.

No one objects to the prohibition of something he does not want to do. It would at the immediate time it is true have been no more controlling than the provision for yards of 10 feet, because no one then desired to build houses deeper than 50 feet; but it would have had incalculable value in setting a standard which presumably could have been adhered to in subsequent years. If the law had then fixed the minimum depth of yards at 50 feet there would not have been through all those following forty years a gradual encroachment upon the yard space, and the building of the house first 60 feet deep, then 70 feet deep, then 80 feet deep and finally 90 feet deep. The builder, finding that the law prohibited any such depth and required that a yard of 50 feet be left, would have found no opportunity to change and the consequent artificial stimulation of land values would not have arisen. It is a very wise maxim never to set your standards lower than the standards that are actually adhered to at the time the law is enacted.

If the prevailing height of tenement houses that are being erected in a given community is three stories and you are formulating a new housing law, keep the height that the law permits such

## ESSENTIAL PRINCIPLES OF A HOUSING LAW

buildings to be erected at the standard which then exists, namely, three stories. If the then standard is five stories you cannot hope, in all probability, to reduce it. Do not assume that it is unnecessary to make an enactment upon that subject and make no mention of it in your law, but embody in your statute the standard which you find existing at that time, unless the sentiment of the community is strongly in favor of a higher one. The failure to observe these principles may mean that you will have a city built up of six-story tenements instead of three-story dwellings, with all that that means in congestion of population, prevalence of tuberculosis and other social problems.





**X**

**WHAT A HOUSING LAW SHOULD CONTAIN**



## X

### WHAT A HOUSING LAW SHOULD CONTAIN

WHAT, it may be asked, are the important things which a housing law should contain? While requirements will differ necessarily in each community, there are certain fundamental things which should be found in every housing law. They must all alike regulate the construction of new buildings, provide for the proper maintenance of all buildings and to a greater or less extent embody plans for the improvement and alteration of the older buildings. In addition, they must deal with questions of light, ventilation, sanitation, plumbing, drainage, fire protection, and to some extent with certain social questions.

Probably the most difficult question to deal with is the question of light and ventilation—most difficult in the large cities, least understood in the smaller ones, but fortunately more easy to handle in the latter because of the lack as yet of any serious evils in such places. How are adequate light and ventilation to be secured? In the first place, the problem of getting it in buildings erected in the future is quite distinct from the problem of getting it in buildings that are already built.

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Let us consider first the buildings hereafter to be erected. Here it is necessary to make sure that every room, every hall, every water-closet compartment and bath room, every cellar, in a word, every part of the building, shall have adequate light and ventilation. How is this to be done? In the first place the street on which the building is to be located must be wide enough to insure this. The streets are already there and of course cannot be changed. But if a street is too narrow, the law must prohibit the erection there of houses of undue height.

The next important step is to make sure that the yard at the rear of the building is of sufficient size, because all the light and air that come into the rear rooms must come through this yard. Moreover, such yards must be considered from a neighborhood point of view. Light and ventilation must not be considered with reference to a particular building only, but with regard to the effect if the whole block were similarly built up. In general the only adequate, rational and satisfactory method is to regulate the size of open spaces, left to provide light and air, in relation to the height of the building. Where buildings are but two stories high, a yard 20 feet deep may be entirely adequate; where, however, buildings are six stories high a much larger yard is necessary, and where they are twenty stories high and the neighboring buildings are of similar height, very much larger open spaces are essential.



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Important as this principle is, there is hardly any American city which has as yet adopted it. Heretofore the method of determining these questions has been largely by rule of thumb.

It will not do, however, to concern oneself solely with the width of the street and the size of the yards. If a house is built more than 24 feet deep, it will necessarily exceed two rooms in depth. The minute it does this a host of problems arise. When it is but two rooms deep everything is simple—one room opens on the street, the other on the yard. When, however, it is four rooms deep, and even seven or eight rooms deep, the situation becomes complicated. The problem is this: How are the interior rooms to be adequately lighted and ventilated?

In the earliest days no effort was made to provide light or ventilation for such rooms. The earliest types of houses that were built specifically as tenements, were houses that were four rooms in depth: one room opening on the street, another on the yard, and between them interior rooms securing their only light and ventilation through doorways into the outer rooms.

In somewhat later years an effort was made to secure some ventilation for such inner rooms, by requiring that they should have air-flues extending to the roof. In many cities this resulted in the construction of air-flues about the size of one brick; in some, in the building of chimneys. Gradually from this developed the so-called "air-shaft," and

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later came the requirement in the law that all rooms should open either directly to the outer air or upon air-shafts.

None of these requirements accomplished the purpose that was intended because they lacked sufficient precision. To provide simply that a room shall open upon an air-shaft is of little value as a means of furnishing light, if it results, as it has, in rooms so dark that one has to light a match to find the shaft! Also of little value for ventilating purposes if the air in the shaft is so stagnant that tenants prefer to keep their windows closed.

The next step was to require that air-shafts should be of a certain minimum area in square feet. This also failed of its purpose because architects and builders then proceeded to build long, narrow air-shafts but a few inches in width and many feet in length. These provided neither adequate light nor proper ventilation, but complied with the legal requirements.

Finally there was evolved the present system, found in the New York law, by which every room is required to open either upon the street or upon a yard of a certain minimum depth, or upon a court of a certain minimum width and length, with the further provision that these minimum spaces shall be materially increased with an increase in the height of the building, and may be decreased for a lower building. Provision must also be made for the frequent renewal of the air at

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the bottom of courts by means of tunnels or intakes.

Only after thirty-four years of effort have we arrived at an adequate method of insuring proper light and ventilation in new tenement houses.

But even with all of this done, there is still more to be considered in securing adequate light and ventilation. The size of the rooms must also be provided for and a minimum established. Here, too, it is not safe to rely upon the amount of cubic air space as a standard any more than it was safe to count upon providing that courts or shafts should be of a certain area. A minimum height for rooms must be fixed as well as a minimum floor area. Similar measures should be taken with regard to public halls and stairs, water-closet compartments and bathrooms, and cellars.

The problem of letting light and air into dark and badly ventilated rooms already built is a totally different and very difficult one. The errors of former years are now unfortunately crystallized in brick and mortar. In most cases it is impossible to make changes that will be really adequate. Rooms that were originally not provided with windows opening directly to the outer air can never be made entirely satisfactory.

All that anyone can hope to do is to make such houses reasonably habitable, letting in as much light and air as can be obtained by methods that are practicable. Wherever it is possible to cut windows into an exterior wall letting light and air



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enter the room from a yard or from open spaces on adjoining premises, it should be done. Where this cannot be done, there are two methods by which light can be provided for interior rooms in old buildings. The simplest method is by requiring the cutting of a large window in the partition separating the dark interior room from an adjoining room. By this method a considerable amount of light is let into the room which before was quite dark. The ventilation is also improved. Such window to be adequate should be about 3 by 5 feet in size and these dimensions should be specified in any law attempting to deal with the subject.

The other method of supplying light to interior rooms is by requiring the construction in the old buildings of a new light shaft. This, however, is a difficult matter. In the first place it generally involves heavy expense. It often means the weakening of the building structurally to such an extent that very substantial alterations become necessary. It also means as a rule losing rentable floor space on each floor. There is of course no use in requiring an alteration of this nature unless the light shaft that is thus provided is of sufficient size to really furnish adequate light and ventilation to the interior rooms in question. If the shaft is an inner one, that is, enclosed on four sides, it will be found that a shaft less than 10 feet in its minimum dimension for a four-story building is not adequate. Generally it is not practicable

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to construct a shaft of this size in an ordinary house.

Moreover, a new shaft of this kind is a fire menace unless built of fireproof material and to require a new fireproof shaft in the older, non-fireproof buildings is somewhat of an anomaly. On the whole, except in rare instances, it will be found that this method of securing light and ventilation is not one which can be wisely embodied in a housing law.

The requirement of structural changes of any kind in an existing building should be approached with great care, and only those things which are vitally essential to the welfare of the community should be included in a housing law.

The alterations required must not only be practicable from a structural point of view but financially practicable also. It is manifestly unwise to impose upon the owner of a building requirements in the way of structural improvements that involve expenditures out of proportion to its revenue-producing possibilities. If there are conditions in individual buildings which render them unfit for human habitation, there should be no hesitation in forbidding their occupancy. This, however, is a very different matter from requiring by law specific structural alterations in all buildings of a certain class.

Every housing law should contain for both new and old houses requirements with regard to sani-



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tation, plumbing, drainage and adequate water supply.

Here are involved some of the most important problems that a community has to deal with. All those questions which may be described under the term "good housekeeping" are included: care of the premises, proper maintenance, cleanliness, condition of the out-premises, absence of poisonous sewer gases, dampness, &c. Here, too, the problem of securing proper sanitation in new buildings is very different from that of obtaining it in those houses that are already built. In buildings that are erected in the future it is a clear proposition that wherever there is a system of public sewers, every house intended for occupancy by more than one family (and indeed every dwelling house) should be equipped with a proper system of modern sanitary plumbing. Nothing else is to be thought of.

In a community of any considerable size, to compel people to use antiquated privies instead of modern water-closets, is a relic of barbarism. If the community is not large enough to be able to afford a system of public sewers, there is not the slightest reason why multiple dwellings should be erected, as there is plenty of room and land values are low, and it is entirely feasible for each family to have its own dwelling. In general no community ought to permit the erection of a tenement house on a street in which there is no sewer.

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It should not be difficult to secure modern, sanitary plumbing in any city. The essential things are that the materials used should be of sufficiently good quality to stand the average wear. Plumbing pipes should be of a material that is durable and does not lend itself easily to leaks. Fixtures should be of a modern nature and simple in form, not some complicated watch-like mechanism easily put out of order, nor of such antiquated form as to lead to sanitary abuses and to render difficult their being kept in a cleanly condition. Joints in pipes should be gas-tight; all fixtures should be adequately trapped and vented; plumbing should so far as practicable be "open" or exposed; sewer connections should generally be separate; the use of earthenware or tile sewer pipes should be prohibited; objectionable types of closets, such as long hoppers and pan closets, should not be permitted.

Adequate drainage of out-premises and of roofs should be accomplished by means of proper leaders, gutters and drains. In multiple dwellings each family should have its own separate water-closet. The use of such conveniences in common leads to serious social evils and should not be tolerated in future buildings. In addition, such conveniences should be entirely within the control of the individual family and should not be located in public parts of the house. This is essential not only for the comfort and convenience of the family, but also

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advantageous to the owner as it enables him to centre responsibility for sanitary abuses.

Each family should have its own supply of city water in at least one place in the apartment. It is useless to expect people to be clean or to be good citizens if they do not have a generous supply of water. Cleanliness is indeed next to godliness. Involved in this also is the question of prevention of disease. The workingman must be able to maintain his physical condition at a high standard if he is to resist attacks of disease. There should therefore be, as a matter of legal requirement, an adequate supply of water in all dwelling houses.

The question of providing stationary washtubs and bathtubs is, however, quite different. These must be considered as in the nature of conveniences not necessities and matters the law should not deal with. It will be generally found, however, that enlightened builders will in self-interest make provision for stationary tubs, where the law requires them to provide a sink and running water. The question of whether housing laws should require builders to furnish bathtubs in new houses is one which has perhaps been debated more than any other question. There is no doubt that the opportunity for bathing, and bathing frequently, is a necessity. But if an ample supply of running water is provided for every family, they can avail themselves of opportunities for frequent bathing, though of course not with the same convenience and comfort as if bathtubs were provided.

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The experience of New York in this regard may perhaps be suggestive for other communities. When the Tenement House Commission of 1900 was considering these questions it had urged upon it with considerable earnestness the suggestion that the tenement house law should include a compulsory requirement for a bathtub in every apartment in each tenement house erected in the future. Many others urged that if this could not be done, the law should require a limited number of baths to be provided for the use of the tenants, in the cellar or some other public part of the building.

After careful consideration of this whole question the Commission reached the conclusion that any requirement of law for baths to be used in common by the tenants of a tenement house, would be unwise, would set back the movement for bathing facilities many years and would result in the abuse and ultimate removal of such equipment. It was also felt that to require a private bath for each family as a matter of law, was not practicable and might with difficulty be sustained if attacked in the courts. The Commission, however, having provided that in new tenements each family should have its own private water-closet within the apartment, believed that builders would at the same time on their own initiative add a bathtub, as this could be done at very little cost and would mean that the apartment would bring a slightly increased rental. That this view of the



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case was sound has been amply proved by the result under eight years' operation of the tenement house law. Although that law requires no bathing facilities whatever in new tenements, in 86 per cent of all the new houses erected, private baths for each family have been provided by the builders, of their own volition.

The proper maintenance of all tenement houses, as well as of all dwellings occupied by the poor, is a question that vitally concerns every community. Primarily the evils which are generally found are due to two factors: The neglect of the owner to care for those parts of the building that are within his control, and secondly the neglect and misuse by the tenants of the facilities with which they are provided. Let there be no mistake with regard to this. This is not a one-sided question. The unsanitary conditions which exist in dwellings of this kind are not by any means entirely due to the tenants; nor are they on the other hand entirely due to the landlord. The responsibility must be shared by each.

Every housing law must provide some scheme by which houses of this nature may be maintained in proper condition. An important factor in this situation is the requirement that where buildings are occupied by a number of families there shall be a resident caretaker or janitor on the premises responsible to the landlord for the conditions. In all of the larger buildings—that is, where there are more than six families in a



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house—this is essential. It is desirable even where there are fewer families, but not always practicable from the owner's point of view. Of course where the owner resides in the house himself, as is frequently the case, such a requirement is not necessary.

Experience shows that the danger points in the tenement house from a sanitary point of view are the public parts of the building for which no one is responsible: cellars, yards, roofs, halls, stairs, out-premises, &c. What is everybody's business is generally nobody's business. Individual tenants do not feel much responsibility or concern for the care of such portions of the building; being used in common, they are apt to be frequently abused, and it is almost impossible under these circumstances, to fix responsibility for abuse.

A housing law should provide that all parts of the building shall be kept clean and free from accumulations of dirt; that the owner shall be required to thoroughly cleanse all parts of the building whenever directed by the appropriate authorities; that the cellar floors shall be free from dampness; that the cellar walls and ceilings shall be white-washed or painted at reasonable intervals; that the house and all portions of it shall be kept in good repair; that the roof shall not leak and that all rain water shall be carried off to the sewer, where a sewer exists, so as to prevent dampness in the walls or in the yards or areas; that proper receptacles for ashes, garbage and other waste

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matter shall be provided in sufficient quantity; that there shall be running water at least in one place on every floor of the building.

With regard to protection in case of fire, the main provision of any housing law is the requirement that there shall be adequate fire-escapes for the use of each family so that in the event of fire the tenants may have every reasonable opportunity to escape without loss of life. The standards as to what constitutes adequate fire-escapes will differ in different places. In general it is clear that fire-escapes of which wooden balconies or wooden stairs or ladders are an integral part are not safe; that rope ladders and all similar kinds of appliances, including wire, steel and cable ladder fire-escapes, are inadequate for houses of this kind.

Fire-escapes should consist of outside balconies either of iron or stone. Iron will be generally found to be the best, cheapest and most practicable. In houses erected in the future the fire-escape balconies should be connected by stairs, the only satisfactory means of connection, and these stairs should be placed at an angle sufficiently inclined to permit easy descent by the tenants—not only by able-bodied men used to climbing ladders, but also by women, children and old people.

It is important that the fire-escapes shall not only be adequate but shall seem adequate to the tenants so that they will trust themselves to them

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in case of fire. It is undoubtedly true that most people could go up and down a vertical ladder such as is provided for many fire-escapes, but women, children and old people in the excitement and panic of fire will not do so. If that is the case, vertical ladders are of little value as fire-escapes for tenement houses.

The fire-escape balconies should be of sufficient width, should be strong, should contain openings of adequate size and should be so located as to afford the quickest escape. The best place for a fire-escape balcony is on the front of the building, because in case of fire the people naturally run to the street; that is the quarter from which they are expecting help from the firemen; that is the normal place to go. In many cases, however, it is necessary for the fire-escapes to be placed on the rear of the building as well as on the front. This is so in every instance where there are separate apartments in the rear which do not extend to the street. In such cases, care should be taken to provide for a proper and safe means of egress from the yard to the street, as it will do little good to allow the tenants to escape to the yard if they are trapped there.

Fire-escapes are quite as much for the use of the firemen as they are for the use of the tenants. In the large cities they are provided, not only to enable the tenants to get out of the building but also to enable the firemen to get quickly to the fire and rescue those tenants who are unable to



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descend in safety. They are also quite as much to be used for ascent as for descent. Often the best means of escape in a fire is to the roof and from the roof of the building to an adjoining house. That is why it is generally provided in tenement houses that the public stairs shall extend to the roof. Often, however, escape this way is cut off. Then the fire-escapes become of especial value.

In addition to providing fire-escapes, fire protection in new buildings may be secured through the limitation of the height of non-fireproof houses and the requirement that the public parts of the building, especially those portions that are known to be danger points, shall be constructed in such way as to safeguard the lives of the tenants.

Experience shows that in the ordinary tenement house one-quarter of all the fires start in the cellar. The cellars and the public halls and stairs are the danger points. It is therefore desirable in constructing new houses, to shut off the cellar from the rest of the building. This is done in the larger cities in the case of buildings five and six stories high by requiring the construction of the first floor above the cellar to be entirely fireproof—that is, iron beams with fireproof filling—and to prohibit any openings in this floor. This involves having access to the cellar only from the outside of the building. It is not quite so convenient for the tenants, but it has been found to be entirely practicable to have the tenants go out into the court or yard to get down into the cellar. Where

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it is necessary to extend a dumbwaiter shaft down to the cellar it is desirable to require it to be built entirely of fireproof construction and to be provided with fireproof, self-closing doors.

It is strange, that no matter where a tenement house fire starts, whether in the apartments on the top floor or on the first floor, whether in the cellar or in an airshaft, it invariably immediately gets to the public halls and stairs of the building, which seem to act like a gigantic flue. It therefore becomes especially important to see that the halls and stairs of such buildings are fireproof and are shut off from the non-fireproof parts of the building.

The type of tenement house that has been evolved in New York to meet this situation is one in which the stairs and halls are fireproof. They are enclosed in brick walls and the floors are constructed of iron beams with fireproof filling; the stairs are either iron, slate or marble. The openings in the walls leading to the apartments are provided with self-closing, fireproof doors so that if a fire should start in one of the apartments it can not "mushroom out" and spread to the stairs and halls and thus to the other apartments.

This type of house has given eminent satisfaction in New York. It is practically the main type that has been built since the passage of the Tenement House Act in 1901. During that period of eight years, in the Borough of Manhattan alone 4506 new tenement houses have been built pro-



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viding accommodations for 116,789 families, or approximately over half a million people. There has not, however, in all this time been a single instance of a bad fire in one of these houses; nor has there been any loss of life from fire in one of these buildings nor any fire in which any considerable financial damage has resulted. Thus far the type has stood the test perfectly.

Beyond this, laws with regard to fire protection should concern themselves with seeing that no inflammable or dangerous materials are permitted to be stored in houses of this nature, and that no dangerous occupations are carried on in such buildings. Bakeries, especially where they boil fat, are frequently sources of danger.

In addition to the questions of light and ventilation, sanitation, plumbing and drainage, and fire protection above described, there are questions involved concerning the use and occupancy of dwellings, which should be taken into consideration in every housing law. Cellar dwellings are among the first evils to be discovered in many places and are nearly always an unnecessary evil. Sometimes, in the larger communities where housing conditions have been neglected for many years, they have to be tolerated for a while. In the smaller communities they are nearly always unnecessary and should never be tolerated.

Care, however, must be taken to distinguish between cellars that are fit for habitation and those that are not. As a rule, most cellars are unfit.

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A housing law must carefully regulate the occupancy of such places for living purposes. It must establish standards which will ensure proper light and ventilation and freedom from dampness. The main points to be considered are the height and size of rooms, the sources of light and air, the height of ceiling above ground and the nature of the cellar floor, with proper provision for keeping out dampness.

The use of tenement houses by women of improper character, in close proximity to respectable people, is a serious evil in some of the larger cities and one that should be guarded against. In most places it will not be found necessary to include in a tenement house law any provisions dealing with this subject. Where, however, the evil has appeared in tenement houses it should be so penalized that women of this class will at once find it to their advantage to remove from such buildings.

Restrictions with regard to the keeping of animals on the premises should be included in most housing laws. It will not do to prohibit the keeping of all animals, as people naturally desire to keep birds, cats and dogs. But one may with reason draw the line at pigs, horses, goats, turtles, rabbits, chickens, cows, &c. All of these have been encountered in New York's tenement houses. This practice, however convenient it may be, is unwise from a sanitary point of view. It is not good for the animal nor is it good for the people.

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Other uses to which tenement houses are often put are unwise and should not be permitted. Especially should it be made illegal to carry on a common lodging house in a tenement house. The mingling of the ordinary lodging house patron with the tenement house dweller is not a good thing for the community.

## **XI**

### **THE ENFORCEMENT OF HOUSING LAWS**





## XI

### THE ENFORCEMENT OF HOUSING LAWS

THE housing problem is not solved when a tenement house law has been passed. Such laws are not self-operative. Housing evils will not vanish of their own accord. The causes which have led to them are too deep-rooted to permit anything so simple. In formulating housing legislation, therefore, one must consider whether there exists administrative machinery adequate to carry it out. If not, new machinery must be created.

In general it will be found that there is some branch of the local government entrusted with functions and duties bearing upon the proper housing of the people. In the larger cities there is a separate department of buildings, or department of public safety charged with responsibility for the inspection of new buildings, and the security of old ones. In every community where there are any housing problems it is safe to assume that there will be found a board of health, or similar body. Between these two bodies is generally divided the responsibility for housing administration. Sometimes these branches of the

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government share this responsibility with others; often with the police department; sometimes where there is a separate fire department, with the fire department.

It will invariably be found that such division of responsibility is unwise and leads to non-enforcement of law. In some cities the shifting of responsibility from one branch of the city government to another has become a fine art. It is so much easier for a negligent clerk to advise an uninformed citizen that the particular matter he complains of is the duty of some other department, than it is to set the machinery of his own department in motion. The result to the citizen is unfortunate. No more potent discourager of civic enthusiasm can be found than this method of passing along the public-spirited citizen from one department to another. After he has visited three or four with regard to the same matter and finds each one giving him conflicting advice as to which branch of the city government is really entrusted with the functions in question, he begins to lose his interest in the matter and his desire to see things improved. It is the rare citizen that becomes aroused at this situation and fired with a desire to put an end to it.

Wherever it is possible it is eminently wise to centre responsibility for the administration of housing laws. This principle, however, must not lead to imposing such duties upon departments that are not organized to carry out the work.

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Nor should it lead to the formation of new branches of the city government, with all their intricate mechanism, unless the conditions are so serious as to warrant such a step.

In most cities it will be found the part of wisdom to place in the control of the bureau of buildings or similar body, the responsibility for the enforcement of those provisions of housing laws which deal with building construction and protection in case of fire:—such matters as thickness of walls, materials of which buildings shall be constructed, fireproofing questions, the construction of stairs and of fire-escapes and similar matters. These questions relate only to buildings erected in the future. Beyond this the jurisdiction of the bureau of buildings should not go.

All questions of a sanitary nature including light and ventilation, plumbing, water supply and similar questions should be left to the health department as well as the vast work of regulating the maintenance of buildings of this kind. These are the functions which a health department may legitimately perform.

With regard to regulating the maintenance of such houses, there will probably be no difference of opinion in any quarter. It will generally be found, however, that local building interests will prefer vesting in the department of buildings jurisdiction over questions affecting light and ventilation and plumbing construction in new buildings, urging with considerable plausibility that all



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matters relating to new buildings should be lodged in such a department, leaving to the health department the care and maintenance of buildings after they are once erected.

This is plausible but not sound. The department which regulates use must control the details of construction which affect that use. A knowledge of the conditions gained in the constant daily dealing with the problems involved, is a prerequisite to the application of the necessary remedies.

A department which never has to deal with problems of light and ventilation after a building is occupied, whose employees never become familiar with conditions of overcrowding, bad ventilation, lack of light, abuses of plumbing, lack of repair, conditions of dampness, &c., is not equipped to determine what standards shall be enforced in connection with the construction of such buildings. One illustration suffices. The conditions of light in a building immediately after it is completed, when the plaster is new and white and there are no curtains or hangings at the windows, are totally different from what they are later. This was excellently illustrated in New York not many years ago, when the Superintendent of Buildings, under examination before a legislative Commission, gave it as his opinion that the discredited air-shaft—which had been aptly termed “A culture tube on a gigantic scale”—was entirely adequate and satisfactory as the sole

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means of providing light and ventilation for ten out of fourteen rooms on every floor in each new tenement house that was being erected, notwithstanding the fact that such shafts were but 28 inches wide and 60 feet long, 60 to 70 feet high, enclosed on all four sides, and without any intake of air at the bottom; and this in the face of the universal condemnation of this particular feature as a breeder of disease, a destroyer of morals and a menace in case of fire—an opinion shared unanimously by health officials, fire department officials, the general public and the tenement house dweller.

Building departments are generally closely allied to building interests. In nearly every city it is customary to put a builder at the head of such department; in rare cases an architect is appointed. In any event it will be found that building departments are invariably sensitive to building interests and are apt to consider the questions that arise in connection with the enforcement of housing laws more from the point of view of those interests than from the point of view of the welfare of the future occupants and of the community.

Health departments, on the other hand, are not subject to such influences. They are generally presided over by sanitarians. Their chief object is to save life, to prevent disease and to reduce the death rate. They are not likely to tolerate in new buildings the perpetuation of evils which in a few years will greatly increase their own burdens and



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render difficult the carrying out of their chief functions.

For all of these reasons, therefore, jurisdiction over the enforcement of provisions affecting light and ventilation, regulating the sizes of yards, courts and other open spaces; the size of rooms, the methods of ventilation of halls, stairs, cellars and water-closet compartments; the installation of sanitary plumbing and modern appliances, is wisely placed in the hands of health officers.

In New York City the main functions affecting tenement houses, normally exercised by building and health departments, have been placed in one centralized department of the city government, known as the Tenement House Department. This has been made necessary by reason of the extraordinary conditions which there exist, to which allusion has already been made in this book. The test of whether it is necessary to establish a separate tenement house department in other cities is the number of tenement houses and the size of the tenement house population. In general it is safe to say that no city needs to form a separate branch of the city government for this purpose, unless it has 25,000 or more tenement houses.

This does not mean that it may not often be desirable to create a tenement house bureau in the board of health. Where there is a considerable number of tenement houses, the concentration of the work relating to the maintenance of

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buildings in one such bureau tends to greater efficiency of administration.

Adequate inspection is the keynote of successful administration. Without knowledge of the exact conditions it is hopeless to attempt to apply remedies. That knowledge can not be gained except by inspection. There are no formulas which can be applied wholesale. Each house must be treated on its own merits. Each case presents its own problem.

The difficulties in the way of achieving adequate inspection are great. In the first place one must secure competent inspectors. But, alas, they are difficult to get and to keep. Frequently incompetent inspectors are foisted upon the community for political reasons. Even at the best, one's choice is limited to men who have shown proficiency in a civil service examination but concerning whose judgment and general ability the appointing officer knows nothing. One hesitates to determine which is the worse horn of the dilemma. The political appointee often turns out to be in time a competent, and frequently a practical man. The civil service employee frequently turns out to be neither. Generally both classes of employees have to be taught their business at the city's expense. Too frequently, just when a municipal officer has succeeded in bringing his employees to a state of experience and ability where they are of real service to the city, he is compelled to lose them because of his

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inability to fittingly reward their increasingly valuable services.

One way to secure good inspectors is to appoint women. This of course presupposes an administration free from politics. There are several advantages in using women for sanitary inspection work. In the first place for the salary paid, one can generally obtain a woman of higher capacity. This insures a greater degree of intelligence and skill, a greater interest in the work, more zeal, often a personal desire to improve conditions and greater loyalty to the department. With women there is less necessity for discipline and greater permanency in the department's staff.

The disadvantages of women inspectors are their lack of practical knowledge; except in rare instances, they can not be used for the inspection of new buildings or for structural matters; as a rule they do not turn out quite as large a volume of work as the men, though it is generally of better quality. On the whole they make very efficient sanitary inspectors. Every health department that has any considerable amount of sanitary inspection to do should have several women inspectors on its staff.

Adequate inspection is essential, but it is not the only thing. While the eyes of the Department must be able to see clearly and to report accurately what they see, the guiding intelligence must so manage and conduct its affairs as to bring about a fair and impartial enforcement of the law.



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There must be unlimited backbone, a readiness to insist upon strict enforcement when such enforcement is essential, but also there must be the discernment that will recognize the necessity at times of other than a rigid enforcement of the law—especially in relation to the older buildings—and that will adapt itself to varying conditions.

The enforcement of housing laws with regard to new buildings presents very different problems from the enforcement of similar laws in connection with the maintenance of buildings. The main difference is in the speed with which such enforcement must be brought about. It may do no serious harm to permit violations in the older houses to drag on for several months. Such a course of procedure, however, in new buildings is fatal. During the delay, the building is completed. It will do little good to the future occupants of a house built contrary to law to collect a fine from the owner. The number of fines collected in such cases is not an evidence of the department's efficiency, but an indictment of its methods.

To illustrate: If the law requires that a yard of 20 feet in depth shall be left at the rear of a new building and the builder leaves but 14 feet—thus decreasing the amount of light and air available for the tenants—there is no way that such defect can be remedied after the building is completed, short of tearing down the entire rear wall at great expense and difficulty. Similarly if the law

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requires that a court shall be 12 feet wide and the builder builds it 10 feet—thus decreasing the light and ventilation of the rooms opening upon it—there is no way of remedying this defect after the building is once completed without practically destroying the building. Judges are very loath to order such drastic changes, nor should it be necessary.

The proper method is to see to it that such facts are discovered while the building is being erected, before it has progressed too far and then insist that the builder shall rectify the errors before going ahead further with his work. The best way to bring this about is by a method which has been put into practice in the New York Tenement House Department. When such defects are discovered builders are notified to remedy them immediately and failing this, are compelled to stop all further work on their building. At first, because of the old lax ways which had been in vogue, they did not believe that the department was in earnest, and when ordered to stop building proceeded with all the more haste to complete the work. When, however, they found several policemen at the job with instructions to arrest everybody that touched a brick, the whole situation assumed a new aspect. It did not require more than two or three such occurrences to bring it home to the builders of that city that the day had passed when they could with impunity defy the law. They have at last learned their lesson and



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know that the tenement houses that they now build must in all essential particulars comply with the law. Where a department finds any difficulty in stopping the progress of such work, it should be given the right to invoke the aid of the courts through injunction proceedings.

Another important method of securing the proper construction of new buildings has been the plan of requiring that after a new tenement is completed and before it can be legally occupied a certificate shall be issued by the enforcing authorities to the effect that it complies in all respects with the law. This has been one of the most important provisions of the New York law and has done much to make for improved housing conditions. Under its operation builders have learned that there is little advantage in attempting to evade the law because, even though they may succeed for a while, (often through the connivance of corrupt inspectors) in utilizing forbidden methods of building construction, they find that it in no way benefits them in the end because they are confronted with this nightmare of a final certificate, with a knowledge that their house must be finally examined by a different inspector and that every violation of law which can be seen (and most of them cannot be covered up) will then be disclosed and a certificate refused.

Most buildings, too, are at the present day built on borrowed money through the system of building loans, and the men who lend that money wisely

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refuse to make their final payments until they are assured through the agency of the department's final certificate that the building in question is lawful. In the old days, before such a provision existed, it was the common practice to run up tenement houses contrary to law and fill them with tenants—sometimes even before the stairs of the building were completed.

The problems involved in the proper maintenance of the homes of the poor are very great. In most communities little effort is made to discover housing evils or other sanitary evils upon the initiative of the sanitary authorities. As a rule they are quite content—often necessarily so because of the limited funds at their command—to await the complaints of citizens, believing that if there are serious sanitary evils they will be thus called to their attention.

This is a slipshod, antiquated practice and can not be dignified as a method of inspection. It is a very unfortunate practice. It means discrimination. It means that one property owner whose house is in a fairly good condition is required by the health officers to expend money and do considerable work while his neighbor in the next street whose house is in a far worse condition, is not bothered from year's end to year's end, simply because he has a different class of tenants who have not cared to send complaints to the local authorities.

It also means neglect. It means that unsanitary

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conditions, often far worse than those that are complained of and dealt with by the Department, remain for months unknown and unchecked. Besides, the practice of sending complaints is fraught with danger to the tenants and is discouraged in every way possible by the landlord and often by municipal employees. That landlords should seek to discourage such complaints does not require comment. Many adopt the practice of evicting those tenants who send complaints to the local health officers. As most tenants hold their apartments on monthly leases this is always feasible on the first of the month. It is a system which uniformly accomplishes the results desired. A tenant who has had this experience once or twice soon loses his zest for civic reform.

Clerks and other employees in city departments lend their aid to the accomplishment of the same end, reasoning that the more they can discourage complaints the less work they will have to do. Moreover, the average tenement house dweller does not understand the intricacies of the processes which must be employed and the legal delays involved in bringing recalcitrant owners to book. Finding no attention paid to his complaints so far as he can see—not realizing that it often takes months for the department to bring about a change in the conditions complained of—he becomes pessimistic and ceases to send complaints, and the belief thus comes to be general that there is little



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use of taking up such matters, and that the ordinary citizen has little chance of having his complaints attended to unless he has influence behind him.

There should be substituted for inspection on complaint, periodic sanitary inspection of all houses upon the initiative of the enforcing authorities, regularly at definite times. This is the only method of sanitary inspection which is worthy the name of a system. To substitute this entirely for inspection on complaint should be the aim of every sanitary officer. It is the ideal towards which all should work, and it is to be hoped that the time is not far distant when sanitary officials may be able to disregard entirely the numerous citizens' complaints that come to them and trust completely to periodic inspection to disclose all evils of a serious nature.

In crowded cities where there is a vast tenement house population the ideal is to have such inspections made once a month. It will be many years before that ideal is reached. The practicable plan in most cities is three times a year; and this, with such re-inspections as would necessarily be made to ascertain whether orders have been carried out, should suffice in most communities. Uniformity of treatment of owners is thus accomplished. The discovery of serious sanitary abuses is no longer left to chance nor to the caprice or ill feeling of some malicious tenant.

One of the most important powers to be exer-

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cised by any health board is the right to vacate houses that are unfit for human habitation. This is very different from the right to condemn or destroy property. It is a perfectly clear proposition that if a house, whether it be a tenement or dwelling, is unfit for human habitation it should not be occupied by human beings. And it should be within the power of the responsible governing officers to accomplish this. There should be no opportunity in such extreme cases of unending delays and long drawn out contests in the courts. Where conditions exist that are perpetuating illness, creating disease and death, and weakening the social and moral fibre of the community, it is the paramount duty of the community to put an end to them without delay.

And yet there are very few American cities whose health officers possess this important power. New York has possessed it for many years. There both the health commissioner and—in the case of tenement houses—the tenement house commissioner have the power without application to the courts, when a building is unfit for human habitation, after a notice to the owner, to order the house to be vacated within a short period of time, generally three to five days. Should the owner fail to comply with such orders the departments in question then have the right to send their own police officers to the buildings and forcibly and bodily eject the tenants. This is done practically every week in the year in the City of New York.



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In the year 1908 the Tenement House Department of that city vacated 76 houses for this reason. Seldom are these powers contested in court.

The great advantage of this method of procedure is that people immediately cease to live under improper conditions. It also spurs the landlord to vigorous action in seeking to meet the department's orders. As long as his house is unoccupied he is losing money, as no rents are being paid; and, as he cannot put tenants back into his building until the conditions have been remedied, he finds it advantageous to comply speedily with the department's requirements.

Every American city should give to its health officers such powers. Being extreme powers they should be exercised only in extreme cases.

The legal equipment of the department is a vital adjunct of every sanitary officer. In many cities the weakness of this is a serious handicap to housing reform. In only a few are there to be found special counsel assigned to boards of health for this purpose. Generally they have to rely upon the city attorney or corporation counsel who performs similar functions for all the other branches of the city government and who necessarily, with a limited staff, can give only a small portion of his time and attention to the prosecution of violations of the health laws.

Wherever there are many tenement houses it will be found advisable for the health department to have its own counsel with an adequate staff. In

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the last analysis, the strength of the department will depend very largely upon the strength of its legal end. Where owners refuse to comply with the law, the only way in which compliance can be brought about is through the bringing of suits. In some cities unwilling owners are persuaded to comply, through persistent letter-writing on the part of the health officers. The disadvantage of this method is that it is generally slow. Owners who do not wish to maintain their houses in proper condition soon realize that such letters are not of serious consequence and gradually adopt the practice of promising to comply so as to gain time. By this means it is often possible for them to protract negotiations several months before the matter is taken up by the department's attorney.

Better than an attorney in many cases is an expert photographer on the department's staff. This idea was first developed in the administration of the Tenement House Department in New York. Up to that time photographs had not played any considerable part in the administration of sanitary or housing laws. One good photograph may often accomplish as much as a lawsuit. Nothing will bring an owner so quickly to terms as the sight of a series of photographs of the conditions in his house.

Some of the most interesting experiences I have ever had have been the encounters with tenement house owners who have entered my office protesting that the orders issued against their

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property were without basis, insisting that the inspectors of the department must be very incompetent and that serious injustice had been done; vehemently asserting that their buildings were always kept in an entirely sanitary condition and that the conditions complained of in the inspectors' reports could not have existed.

After listening to these remarks without comment, there was always considerable pleasure in placing before their astonished eyes five or six photographs showing indescribably bad conditions and saying quietly that these were photographs of the conditions that existed at the building in question. It was seldom necessary for the owner to take a second glance at the pictures. He generally at once terminated the interview with the statement that he had no idea that such conditions existed (which in some cases was true) and left the office with a promise to remedy them immediately.

The great advantage of the photograph is not only that it is a true record of conditions which exist at a given time, but that the owner of the house knows that the department has in its possession evidence which if taken into court he could not successfully refute. It is only in rare instances that any owner attempts to contest the department's orders in the face of such evidence.

Two kinds of legal process are available: Civil and criminal. The former is the one most generally used. It consists chiefly in the institution, in minor courts, of actions for small penalties;



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in similar actions in branches of the Supreme Court for larger sums; in proceedings for the vacation of premises unfit for human habitation; in suits for the abatement of nuisances, and in injunction proceedings where it is necessary to prevent owners from carrying certain plans into effect which would result in harm to the community. In some cases also in proceedings to compel owners to carry out the department's orders and for the collection of moneys expended by the department in carrying out orders which owners have refused to comply with.

In very few cities have criminal proceedings been resorted to, although in many the department of health possesses this power; in most places violations of health laws are misdemeanors. A greater use of the criminal remedies would undoubtedly result in a prompter compliance with the law in most cases. Few owners mind very much being sued in a minor court for a penalty of \$25 or \$50, but most owners seriously object to being arrested, put in jail, admitted to bail and tried by criminal process. Of course this should be resorted to only in serious cases. It is a power which it is dangerous to abuse.

Health departments should also have the power where an owner has refused or neglected for some time to carry out important orders, to step in themselves, if need be, and do the work at the city's expense, with the right to impose this cost as a lien upon the property. From very early

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days such a power has been enjoyed by the health officials of New York. In recent years they have not had to exercise it frequently.

If such powers are given, care should be taken to provide at the same time for a fund out of which such expenses can be defrayed, otherwise the department will be effectually stopped from accomplishing much in this direction. Allusion has already been made in this chapter to the importance of giving to health departments the right to vacate houses that are unfit for human habitation. This power should be extended to cases where houses are without fire-escapes and human life is endangered thereby.

An important adjunct to the legal powers of the department is the right to file a *lis pendens* (notice of suit pending) in the case of violations of housing, health and building laws where the owners have failed to comply with reasonable diligence, and the enforcing authorities contemplate bringing an action. This course of procedure is very effective as it serves notice to real estate interests and lawyers that there is something the matter with the house and prevents an owner from unloading the property upon some innocent purchaser who has not suspected that there may be violations pending, the removal of which will require the expenditure of considerable money. All penalties incurred through violation of housing laws should be made liens upon the property.

There is little value in any of these powers or



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in housing laws themselves if there is not a well developed public sentiment in each community to sustain them. A particularly disheartening experience is, after weeks of preparation of a suit and possibly after months of effort by the local officials to secure the remedy of some abuse, to have finally the whole matter summarily dismissed by some minor judge when the case is taken into court, with a refusal on his part to hold the owner or to impose upon him the proper penalty, notwithstanding the trouble and expense to which the community has been put and the evils which the unfortunate tenants have had to suffer for a long period of time. This is too frequently the case.

There is often an entire lack of appreciation on the part of the judges in minor courts of the importance of housing laws and the necessity of their supporting public officials in their work. So great a drawback has this become in one eastern city that the authorities have finally been compelled to a very large extent to withdraw their suits from these courts and bring proceedings in branches of the Supreme Court itself.

The time is probably soon coming when we shall establish in most of our cities special courts in which all suits brought on the part of the municipality or the state will be prosecuted—that is, a true municipal court: a place where actions affecting the municipality solely may be tried. Such a plan would possess great advantages. It

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would mean that the judges of such courts would thus become familiar with the intricacies of laws that are often highly technical and complicated, and would through the constant determination of such issues be able to enforce standards that would raise the entire tone of the municipal administration.

Another practice which renders difficult the enforcement of health laws is the failure on the part of the prosecuting officers to collect penalties when once imposed. All the various steps may have been taken, weeks have been consumed in the preparation of a case, issue has been joined, decision rendered in favor of the municipality, a penalty imposed upon the offending owner and then the attorney for the city makes no effort to collect the penalty.

The effect of this policy has been reflected in the attitude of the courts, voiced in the sentiment frequently expressed by many of the judges that it is not their function to serve as collectors of revenue for the city—meaning that they will not impose penalties where owners have promised to comply, even though that promise has only been wrung out of them in court after many months' delay. Such an attitude seriously hampers proper enforcement.

The centering in one department of responsibility for the enforcement of specific provisions of law is no more important than the centering upon the owner of the responsibility for all un-

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sanitary or dangerous conditions. To the ordinary person it seems perhaps fair that tenants and lessees should share with owners the responsibility for unsanitary conditions.

Such a scheme, however, is impossible from an administrative point of view, especially where the chief method of enforcement is by means of civil proceedings. If you are going to sue a man he must have some property upon which you can levy in the event of your securing a judgment. Imagine the unprofitableness of the city's spending time and money in suing some irresponsible tenant from whom a judgment could not be collected. The owner is really the responsible person. It is his business and duty to see that his house is kept in proper condition.

This is a question which has given great concern to tenement house owners. They have always pointed to the fact that the owner is made responsible for all violations of law as a great injustice, and have with apparent reason inquired why penalties have not been imposed equally upon tenants. Of course, there are cases where the apartments of individual tenants are kept in a filthy condition and the property is shamefully abused. If a landlord has taken in tenants who abuse his house and refuse to comply with the laws of health, it is an entirely easy matter to turn them out.

In the great majority of cases, however, the tenants are law-abiding people who keep their apart-



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ments in excellent condition. It is the public parts of the tenement house that are generally in trouble. Over these the owner is the only person who has control. The task of a city department which had to hold twenty different families responsible for the cleanliness of a public hallway or the repair of a public water-closet, would indeed be an impossible one. In the long run it will be found that no hardship is worked upon owners by holding them to strict accountability for the care of their premises.

The only instance with which I am familiar where housing laws do seek to place penalties upon tenants is in regard to the placing of encumbrances on fire-escape balconies. In this case the tenant is made liable to a fine of \$10 for each offense and also liable to arrest. Even this provision, designed for the protection of the tenants themselves, does not work well. Few judges are willing to make criminals of ignorant foreigners, who, unfamiliar with our customs and laws, have placed some household utensil or put their bedding to air upon the fire-escape balconies.

Essential to the efficient administration of a housing law is the registration of the name and address of tenement owners. A plan originally tried in New York some years ago was to require the name and address of the owner of the tenement house to be posted in a conspicuous place in the public hallway. This was not a success.

The plan at present in vogue is the requirement



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that every owner shall register his name and address in the Tenement House Department, with the further provision that if he fails to do so, service of all legal papers shall be deemed adequate by merely nailing copies of such papers upon the door of the building. Without such information sanitary abuses of a serious nature are often permitted to exist for long periods because of the inability of the authorities to place responsibility.

Co-operation is an important element in housing reform. To get the best results there should be the fullest co-operation between the city departments themselves and with civic bodies and private citizens interested in the improvement of living conditions.

Politics should of course be kept out of city departments charged with the enforcement of sanitary laws. No matter what one may believe with regard to other branches of the city government, there is generally a well crystallized sentiment that the department of health should not be made the sport of politicians. This is a proposition about which there can be no question. Fortunately politicians are gradually learning that there is nothing more dangerous to tamper with than the health of the people and increasingly each year health departments are being freed from these influences.

Where politics does enter into the administration of housing laws, there is considerable that can be accomplished even through the politician. He can be made to see that the enforcement of

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laws in the interest of the poorer members of the community is a political asset and that there is more to be gained politically by taking this side of the question than in urging the suspension of special requirements in the interest of individual constituents.

The average politician, seeking favors from the head of a city department, cares very little whether the municipal officer grants his request and he secures the extension of time or modification of some order that may be desired. All that he generally wants is to show the member of his district who has come to him for help, that his request has been heeded and that the enforcing authorities have done what they could to do him a favor. This may be tactfully accomplished without in any way sacrificing the welfare of the community. Like everything else, it depends very much on the way in which it is done.

Efficient housing administration to be successful must be sane. There must be a sense of proportion on the part of the head of the department. He must not give his attention unduly to matters of minor moment, especially when large questions and serious evils are put aside. He must not too rigidly adhere to the strict letter of the law nor feel that he can never deviate from it in the slightest respect. On the other hand there must not be so liberal an interpretation as to nullify its intent. In general, sanitary officers should attack the worst evils first and so proceed as to bring about a uniform treatment of citizens.

## **XII**

### **HOW TO SECURE LEGISLATIVE REFORMS**





## XII

### HOW TO SECURE LEGISLATIVE REFORMS

**H**OUSING reformers are often in doubt whether it is better to seek state legislation or to attempt to remedy conditions through municipal ordinance. The latter is easier, but is less likely to give satisfactory results. The chief advantage of state legislation is its greater degree of permanency. In many states the legislature meets but once in two years. Moreover, it generally takes two or three months to get important legislation passed. The result is that when you have once obtained your law you have, to a large extent, ensured its stability. The law once obtained cannot be repealed or amended in important particulars without the public knowing it; nor can it be done quickly. One has, therefore, ample time to muster his forces to repel attacks that may be made.

On the other hand, if you enact a municipal ordinance it is subject to constant change. Few communities pay close attention to the work of their Common Council, and matters slip through easily. Local boards are generally in session throughout the year. Almost any week they can

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put through a radical amendment to a housing ordinance before its friends have time to rally to its defense.

It will be found, too, that the aldermen are much more susceptible to local influences. Some builder will find a provision of the housing ordinance in his way when he wants to build a flat or apartment house, and will get his alderman to introduce an amendment making an exception in the case of his building or even changing altogether the particular provision. It is difficult to combat successfully amendments of this kind in the short time at one's disposal, even if aware of them, and gradually the ordinance is broken down in its essential provisions and becomes of little force and effect.

This is less likely to happen in state legislation. The members of the legislature are not so sensitive to local influence. Only a few of them come from a particular city. The others freed from local pressure are apt to consider the proposal to weaken a beneficent law of this kind, with reference to the general welfare of the state, and the member desiring such changes will find himself unable to accomplish them.

There is also some doubt as to the power of local municipal bodies, such as boards of aldermen, to prescribe legal remedies for the violation of housing ordinances that will be sufficiently strong. In addition there is always the question of conflict between a local ordinance and laws that may be

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enacted at some future time by the state legislature. In such cases the state law will always have the greater force and effect, and it is therefore the part of wisdom to start upon this basis.

For all of these reasons it is wiser to seek the remedy for housing conditions through legislative enactment rather than through municipal ordinance.

Usually the first efforts at securing legislation for housing reform fail. The community where this experience is not repeated year after year is fortunate. The reasons for the failures are not far to seek. The persons interested in such movements are, as a rule, unfamiliar with the factors which enter into success in this field or are unwilling to address themselves in a practical way to the problems which have to be met.

In the first place public sentiment is an essential factor. We talk very glibly of methods of government in this country and of our governing officials, whereas we all know or should know that the real governing force is the force of public sentiment. Public sentiment is a vague and illusive thing, working often in inscrutable ways. Fortunately it is nearly always on the side of movements for the improvement of social conditions, notably for housing reform. The effort to direct it into proper channels should not be difficult, if undertaken with a knowledge of what is requisite and with a definite end in view.

The most potent factor in this situation is the



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press. It is useless to attempt a legislative campaign of any importance until the support of the press has been obtained. To get this, let the managing editors and others responsible for the formulation of a newspaper's policy understand the conditions which exist and let them see them at first hand. The knowledge thus gained will be found to be of lasting value.

Editors are, as a rule, very practical men. They must be assured that the movement which you advocate is on a sound basis and in the hands of practical people. Be assured that the arguments you advance will be offset at various times in all manner of ways and through all sorts of channels by counter arguments to the effect that your plans are "visionary" and "theoretical," and will not benefit the people whom you seek to benefit, but on the contrary may work irreparable hardship to property interests that are affected thereby.

These are arguments that are sure to be advanced and arguments that the housing reformer must be able to meet and satisfactorily dispose of. No attempt to secure housing legislation should be made until the community has been informed with regard to the conditions which prevail and a strong public sentiment for their abolition developed.

In what other ways can public sentiment be developed besides through the press? The method that generally produces the largest and quickest



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returns is through circularization in various forms, through writing letters from time to time to prominent citizens calling their attention to evils which exist in the community, and always directing the letter to some specific question concerning which you desire to awaken their interest and to secure their support. The indefinite letter is of little value—in fact, is likely to weaken your influence and injure your cause.

Popular lectures, if given by interesting speakers, also play an important part in the education of the community and the development of public sentiment. Lantern slides showing the actual conditions that exist are a potent aid in this work. The distribution of photographic reproductions of some of the worst evils, as well as typical instances of conditions that your investigation has disclosed, attaching to them always a human interest where possible, is always effective in reaching people's sympathies and securing their support, because it enables them to picture actual conditions. This is important, as many people lack imagination. One good photograph is worth six pages of print, but it must tell the story and you must be sure that it tells the story.

Enlisting the labor men in the cause, where the labor movement is strong and progressive, is nearly always helpful. Housing reform is a matter that vitally concerns them. They who have been engaged for generations in the fight for better working conditions for themselves are

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quick to rally in support of an appeal for better living conditions for their wives and families. It inspires confidence in their own cause for them to enlist in a disinterested campaign, and their leaders are quick to see the advantage of such co-operation. The labor men, moreover, bring great strength to any movement for housing reform because of the attention which legislators give to the demands of labor.

The most direct and natural source of appeal is to the members of boards of charitable societies and to citizens interested in other forms of social work. Their connection with such work indicates an interest in the cause—an interest which, as a rule, needs only to be developed and directed. Women's clubs, civic organizations, settlements and kindred bodies may be made potent allies. Do not, however, surrender the leadership of your cause into their hands.

In general, one's task is not so much to create public sentiment as to direct it: to fully inform the public as to the conditions, to formulate the remedies and present them for public judgment and approval, and to direct the great force of public sentiment towards securing the reforms that are urgently needed.

It is a common experience for a community to be aroused to housing evils, to have had a carefully selected citizens' committee at work making careful investigations and studies of the problem for a year or two, to have prepared a housing law

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after the most careful and mature deliberation extending over many months, and then to utterly fail to secure the enactment of its measures by the legislature. It is a disheartening experience and it frequently acts as a check to housing progress. What is the reason for it? The chief reason lies in the fact that legislative success requires special abilities.

The ordinary citizen would never for a moment dream of conducting a complicated lawsuit if not a lawyer; nor would he feel confidence in his ability to perform some delicate surgical operation if not a surgeon. Getting an important bill through a legislature in the face of great opposition is quite as difficult a task and requires special knowledge; yet frequently the ordinary citizen undertakes this task with cheerful confidence and, as a rule, without the slightest appreciation of what he is about to experience. From an educational point of view it is perhaps advantageous that he should adopt this course, but its effect on the cause of housing reform is uniformly unfortunate.

It is only in rare cases that the ordinary citizen is keen enough to grasp quickly the essential principles of the game and adapt himself to them. He comes to the experiment totally unprepared for his task, handicapped as a rule by text-book views of government, not realizing that, as a rule, the actual methods are as different from the theoretical ones as day from night. It is difficult



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for the average man to adjust himself to this situation with sufficient readiness. It is incredible to him that the views which he has entertained for so long a time should be erroneous. How can it be? He has heard little from others indicating that the real methods of government are so different from the ones commonly accepted as prevailing. In the legislative experience he learns for the first time that a good cause may be a handicap; that it is often easier to pass a bill which works injury to the community than one which improves conditions; that the bill which benefits everybody is far more difficult to pass than the bill which benefits a single individual or corporation.

He also has radically to readjust his ideas in other directions. In most legislatures he is bound to find that the real determination of what bills shall pass and what bills shall fail often rests with some single individual—the political boss, a man responsible to no one, holding no office and yet shaping and controlling the destinies of the state. Sometimes he will find a group of bosses rather than a single one. At first the ordinary good citizen will be horrified at such conditions. It is so violent a contrast to all that he had learned in earlier years as to methods of government, so violent a shock to his ideals.

From the point of view of housing reform, however, such conditions are often a distinct help rather than a hindrance. The boss is always



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amenable to public sentiment, and the advantage which corporations and special interests find in the boss system may without reproach be turned to account by the reformer. The great advantage is that it is much easier to convince one man with regard to so highly technical a subject as housing legislation than it is to convince two hundred—two hundred of all degrees of intelligence and integrity.

Of course there is another side to it. It is easier also for those interests which may be opposed to housing reform to influence the boss than it is for them to influence two hundred members of the legislature. But admitting all of this, the fact still remains that the existing political conditions, much as they are to be regretted from many points of view, lend themselves most advantageously to the securing of progressive legislation, not only in the field of housing reform but in other fields of social effort.

The trouble with many social reformers has been that they have not been willing to take advantage of the situation as they find it, and direct this force into useful channels, but have held aloof and refused to face conditions as they are.

If you are trying to get housing legislation through a legislature which is controlled by a boss, what a futile waste of time it is to seek out the one hundred or two hundred members of that body and go through the empty formality of attempting

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to secure the individual support of each one of those men as if he really controlled the destinies of the cause in which you are interested. The influence that you want is the influence which can affect your cause favorably. If you live in a boss-ridden state it is just as futile to ask the support of individual members of the legislature in that state as to ask the aid of the Mikado of Japan. Without the support of the boss all other support is of little value.

The mistake that is too often made is in assuming that the boss, because he has an unsavory reputation politically, has ceased to be a human being—in assuming that he is the enemy of all good things and that you can not count upon his help in the particular reforms in which you are interested. The direct opposite is generally the case. The political leader is very keen to welcome opportunities of playing a helpful part in progressive social movements, especially in a cause which does not affect his personal interests and which, as a rule, will be a source of political capital and incidentally secure for him the commendation of public-spirited citizens. He always has his ear to the ground. But he is human also in this—if he has the power, he wants to be consulted. And it is generally better to consult people in advance than afterward.

Boss-ridden or not boss-ridden, the secret of legislative success may be summed up as the right pressure, in the right place, at the right time, in

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the right way, by the right person. No one of these things can be omitted.

It must be the right pressure. If you want to influence a member from a certain county there is little use in asking people who live in a totally different county and who are not his constituents to use their influence with him. But there is every use in letting him understand the sentiment of the people in his own district. That is the right pressure.

The pressure to be effective must also be in the right place: All legislatures do their work by committee system. In practically all of them, bills when introduced are uniformly referred to committees for consideration and for the hearing of the arguments for and against each measure. When a bill is in committee and having the consideration of the ten or fifteen members who may constitute that committee, there is little use in bringing pressure to bear upon the general members of the legislature who are not members of that committee. They will give little or no attention to any matter until it comes before them on the floor of the house after having been considered by committee and reported favorably or unfavorably from them; but pressure brought upon the members of that particular committee by which your bill is being considered is of the very greatest value. That is pressure in the right place.

It must also be at the right time. If you are anxious to have your bill reported out of committee



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and your committee holds its meetings on Friday, it is not advantageous to personally interview the members of that committee on Monday and urge them to vote in favor of your measure.

If a bill has been reported by a committee and is up for consideration in one house there is little use in seeking to influence the members of the other house which is not then considering the measure in question and which can not, in the nature of things, consider it until some time later. The pressure must be at the right time.

It also must be in the right way. Probably the most futile thing that the average citizen does and the method which he instinctively adopts is to get up a petition of thousands of names in favor of his measure and send it to the legislature. This is a relic of a pre-glacial political period. Such methods never influence legislators; they know how easy it is to get signatures to petitions and how the American people are prone to sign unthinkingly almost any statement that is put before them. They are quite right to pay no attention to such alleged expressions of public sentiment, because they represent nothing. The pressure must be in the right way.

Letters, however, from constituents and especially from prominent members of the community to their own representatives, are of value, especially letters which indicate not only an interest in the subject but a knowledge of it and a consideration of the essential principles involved in the



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particular measure under consideration. Editorials from influential newspapers published at timely periods are another form of pressure in the right way. Personal requests from the constituents of members are probably of even more potent influence.

There is great danger from the amateur in this field. The writing of letters to members of the legislature, as well as the sending of telegrams, has been greatly overdone in recent years; so much so that it would almost seem as if this method of influencing public sentiment were losing such value as it once had. When rightly done, I know of nothing, however, that can take its place. The thing to be guarded against is making it mechanical; especially sending printed letters or postal cards to individuals asking them to sign and send to their representatives. Such documents are of no more value than the petition and are in fact only another form of it.

Some objection pertains to organized letter writing even when properly done. It is of course impossible to expect that the members of the legislature will not recognize the fact that such expressions of opinion are sent them by request and are to a greater or less extent inspired. This will be discounted by them, but there will still remain strongly impressed upon their minds the extent of the organization that exists in behalf of a particular project and an appreciation on their part that a considerable number of people among

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their constituents are sufficiently interested in the subject to write letters upon the request of some person more deeply interested. The pressure must be in the right way.

It must also be by the right person. The opinion of the man who is totally unknown to a member of the legislature can not be expected to have very much influence upon him, and yet many social reformers lose sight of this completely; they seem to think that it is the number of demonstrations which counts, not the quality. Find out who the man is that has the greatest influence with the particular senator or assemblyman that you want to interest in your project and reach him through his friend. If you are seeking political influence, enlist his political chief in the cause. Sometimes it may be the district leader; sometimes the state committeeman; sometimes it may be the governor of the state. The pressure must be by the right person.

A legislative campaign is akin to warfare. It is like a military campaign and in it the regulars always have the advantage of the volunteers; they know the game; they are not gun-shy; they have been on the firing line before; they know what to expect. As in ordinary warfare, organization is essential to success. To be successful there must be a plan of campaign, and that plan must be carried out by shrewd generals who have won their right to lead by success in many campaigns. Above all things, there must be recog-

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nized leadership. Mob rule can not succeed here any more than in ordinary warfare.

Sometimes the enemy must be fought by his own methods; strategy must be resorted to when necessary; every move in the game must at times be taken advantage of. If to secure its successful passage it is necessary to manoeuvre—to cast your bill in certain forms in order to get it before a committee which will be favorable to it and away from a committee which will be antagonistic to it—this must be done.

Progress in legislation rests on compromise. The member of the legislature is pulled this way and that by conflicting interests. He is told by one group of people that the project under consideration is visionary and will result in great injury to important interests; by another group that it is a sane, practicable, common-sense plan, commended by the entire community except one or two particular interests which are adversely affected by it. With no direct sources of information, as far as he can see the opinions of the one group are entitled to as much consideration as the other. The legislator generally solves the difficulty by compromising: by giving something to one group and taking a little from the other. This generally satisfies neither; but in the long run the various interests adjust themselves to such decisions and often with surprising facility.

Social reformers should recognize this and should base their recommendations upon it. They should



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not make the error of compromising before they have to; of anticipating the opposition that is going to be brought against the measures they have in view and saying to themselves: "We dare not go this far because such and such interests will be sure to oppose us and there is no hope of securing what we desire." The result is that, having compromised in advance of the necessity, they are forced when the actual occasion arrives to compromise still further and to consent to the enactment of something that is far below the standard that would have been possible. Don't compromise until you have to. It is also a good thing to have something to compromise with. If you expect and earnestly desire to secure the enactment of a housing law, for instance, limiting the percentage of lot that may be covered to seventy per cent, don't start with any such standard in your proposal. Start at sixty-five; have five per cent to compromise with. If you start at seventy, you may be quite sure that you will end at seventy-five.

It is also vitally important to be prepared to legislate on a basis of fact and not on impressions. You must not only know your facts but be able to demonstrate conclusively to the members of the legislature that you know them and that you stand upon solid ground. Do not forget also, that they come from widely scattered communities and may not be familiar with the conditions which you are seeking to remedy. As a rule, the



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rural members of a legislature need to be thoroughly enlightened with regard to housing conditions which prevail in cities. Such conditions they do not dream can exist. They should see the conditions at first hand. Where this is not possible, they should see photographs and often models.

When he has been informed and aroused it will generally be found that the rural member of the legislature is a most potent ally in housing reform. He has not become case-hardened to the conditions which prevail in the cities, he is not subject to the pressure of the local influences there which desire to perpetuate them and he has standards which make the conditions that prevail in most cities seem to him intolerable and to cry aloud for remedy.

It is wise, too, to constantly remind oneself that the members of the legislature are subject to human influences; that startling as it may seem, they may vote for your measure, not because of its merits, but because of their friendship for you or for the member who happens to sit next to them who wants to see the bill pass.

One word of caution against overdoing it in campaigning for legislative reforms. The social worker in his zeal runs a very serious risk of wearing out his welcome;—of importuning the members of the legislature too much. Do not lose your perspective. The member of the legislature is interested in a great many other things.

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Your measure is but one very small, minor matter to him—a mere incident of the session.

To sum it up: Legislative reforms are to be accomplished only by patient, skilled, well-directed effort. They are not achieved by accident, inspiration or enthusiasm.

## **XIII**

### **THE FIELD OF PRIVATE EFFORT**





### XIII

#### THE FIELD OF PRIVATE EFFORT

WHILE the main burden in the movement for housing reform must be borne by public officials, there is a large field to be occupied by private citizens. The two efforts must supplement each other at every point. Neither alone is sufficient. But the two fields are distinct. There are many things which the government may do which can not be done effectively by private citizens; and there are many things that it is better for the private citizen to do than for the government to undertake. It is quite impossible, for instance, for private effort to see to it effectively that thousands of tenement houses or even hundreds are maintained in a sanitary condition. This is clearly a governmental function. On the other hand there is much to be done which it is not the province of government to assume.

The first and most important way in which private citizens can aid the cause of housing reform is in the organization of a citizens' committee for the purpose of securing such legislation as may be necessary to regulate the construction and supervise the maintenance of the homes of

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the people and to provide the adequate administrative machinery for carrying such laws into effect.

The mistake that is too often made by many people is in losing their interest and in feeling that their work is accomplished when some legislative reform has been achieved. So far from being the termination of their efforts such a period should really mark the beginning of their main work. Any important change in the laws will at first bring opposition from those interests which are affected by it. Unless its friends are alert, it frequently happens that important legislative reforms are within a year or two nullified by the interests adversely affected.

Moreover, housing laws are difficult to frame. It is not always possible to anticipate with sufficient precision, conditions which may arise, and it will generally be found that such enactments need subsequent amendment. It is far better that housing laws should be amended by their friends than by their enemies. If their friends do not act you may be sure that their enemies will. Private citizens should, therefore, after bringing about some important legislative reform, watch with great care its effect, and with an open mind be prepared to make such changes as may be necessary to make it more perfectly accomplish the ends desired and to remove any unnecessary hardship that may have been unwittingly involved.

Then there is a very important and valuable

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function to perform in aiding administrative officers in the interpretation of laws which often they have had no part in formulating. This is a very real service. The intent of a statute may have been very clear in the mind of the person who framed it, but it may seem to have a totally different meaning and purpose to some one else who is interpreting it without that particular knowledge.

The next important way in which citizens can advance the cause of housing reform is through a permanent and adequate system of what may be termed "law enforcement"—namely, of seeing that the local authorities properly administer the laws. At first thought it would appear that this ought not to be necessary; that citizens should not have to hire some outside person to watch the enforcement of statutes by public officials whose compensation they are taxed to defray. This unofficial government, however, is a necessity especially in the large cities. Municipal administration has become so complex and the functions of the municipality so much extended, that without this public-spirited service on the part of citizens there is serious danger of the failure of democratic institutions.

There could not be a more wholesome stimulus for the public official, than the knowledge that a group of leading citizens is vitally interested in the proper administration of his department and that they are contributing time and money to



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that end. Such a scheme of law enforcement should be on a basis of co-operation with the public officials and not on a basis of antagonistic criticism. It must assume that the public official is honest and conscientious and desires to secure the best administration of his department, even when it seems otherwise. It is surprising to see the way in which even the worst politician responds to an appeal upon such a basis. Realizing the standard that has been set for him and that public sentiment expects him to adhere to such a standard, he becomes stimulated to greater efforts and more efficient work, if only through fear of the criticism that will be directed to him.

Of course there are occasions when it becomes necessary to frankly and severely criticise the head of a department, even going so far as to demand his removal from office when once convinced that any proper administration of the department under him is hopeless. Such procedure, however, should be resorted to only where all reasonable efforts to bring about a better administration have failed and where there is a fair expectation of securing the appointment of a better man in his place. Charges against public officials are often too recklessly preferred by private citizens in reform movements. It is a dangerous thing to undertake, unless one is very sure of the facts. A public official has a very disconcerting way sometimes of knowing more about the subject than the private citizen and



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of making charges seem very ridiculous. No one thing stands out more strikingly in the history of the effort for municipal reform than the failure of the reformer to make good in such instances. The trouble is that he relies too much upon his own belief as to the inefficiency and bad faith of the official, not realizing that to secure his removal from office he must be able to prove conclusively to the removing officer clear-cut, specific instances which, beyond shadow of doubt, indicate the unfitness of the public official for his office. There is a great difference between moral certainty and legal certainty.

There is another side to it as well. The public official is human and susceptible to the influences which ordinarily affect human beings. The people he finds friendly and helpful to him are likely to have influence with him. The people who criticize him unjustly, without an appreciation of the limitations and difficulties under which he is working, he is apt not to give much heed to. Here again is another point of difficulty. In such movements few citizens take the time to familiarize themselves with the limitations under which municipal officers work. They see a tenement house in an unsanitary condition and they at once assume that the official is neglecting his duties. As a rule they seldom ask themselves whether these conditions may not have had his attention already and what the reasons may be which have led to the continuance of this apparent

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neglect. Few realize how long it takes sometimes to bring about improvements in a particular case.

Social workers frequently offend in this way. They complain to the health officer about some unsanitary condition and then perhaps a week later, finding no change in the situation, condemn the officer for not having performed his duty and state that there is no use in sending complaints to him; not realizing the length of time necessarily consumed in such matters nor the various processes that must be gone through before results can be obtained. Especially in this connection we should apply to ourselves the old warning, "I pray you by the mercies of God to remember that you may be mistaken."

For these reasons, and for many others, it will be found that it is unwise to attempt any plan of law enforcement—that is, of calling the attention of the municipal authorities to housing evils which require attention—through volunteer workers. In the first place it is very difficult to secure volunteers who have a working knowledge of what constitutes bad housing conditions, and no volunteer worker can as a rule give the time for the patient and careful study that is necessary to equip him with the expert sanitary knowledge that is requisite in such work. It is essential, therefore, in any movement of this kind, to have the services of a competent, properly compensated, trained expert.

Where any plan of law enforcement is taken up

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it will be found best to proceed upon a district basis; that is, to concentrate on a given neighborhood and to systematically inspect one house after another in that neighborhood, calling the attention of the local authorities to the conditions that are discovered. This is far wiser than attempting to spread out all over the city at one time and much fairer to owners and to the enforcing authorities.

Another important way in which the private citizen can aid the cause of housing reform is in the formation of companies to take over the management of tenement houses. In some cities this has been combined with the ownership of model tenements, where a company already running such house has advantageously taken over the management of other tenements. But the two are not necessarily connected.

Housing evils are in the main due to the fact that the owners of the property are either unaware or neglectful of the conditions which exist or are ignorant of the right way in which to manage property of this kind. The city can do much in forcing owners to keep their property in a sanitary condition, but this is an unending task. Few cities are sufficiently well equipped to do this adequately. Their work should be supplemented, therefore, as far as possible by private effort. The simplest and wisest way to supplement it is to substitute for a neglectful, ignorant and careless landlord, a careful, conscientious and attentive one.



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This by no means necessitates any change in the ownership of the property. It is a question of management. The management of a tenement house in which there are many families is not a simple task. It requires experience, good judgment, patience, tact, intelligence and knowledge of human nature. It should be done by persons who by temperament and experience are fitted for this particular field. Good management of tenement houses pays. A well managed tenement house is more profitable in the long run to an owner than a poorly managed one. In such houses there are fewer losses from vacant rooms and from bad debts, and a much smaller bill for repairs.

Next to securing improved laws and their proper administration, no better form of private effort can be found than the formation of companies for the proper, efficient and economical management of tenement house property. Excellent results in this direction have been obtained in London, and in America, especially in Philadelphia through the work of the Octavia Hill Association. The City and Suburban Homes Company of New York has recently extended its work into this field and is obtaining satisfactory results.

In this work there is a distinct opportunity for women. A woman as a rule is more successful than a man. This is not strange, as the larger part of tenement house management is nothing more nor less than sympathetic understanding



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and good housekeeping. The secret of success is in maintaining satisfactory relations with the tenants, in making them consider it a real privilege to live in your house and a calamity to be forced to go elsewhere. This result is not so difficult to bring about as it may seem. As soon as the tenants experience the benefits of the new regime and realize that their landlord has human relations with them, most obstacles to a proper understanding disappear.

Of course a proper understanding can not be had with tenants unless they are decent people; but decent landlords need have no other kind. If they get them, it is entirely their own fault. That they do get them to the great extent which they now do, is not surprising in view of the fact that they make little effort to safeguard themselves. Nothing is easier than keeping out of one's house objectionable tenants, provided one is willing to take a little pains. It is a perfectly simple thing before taking in new tenants, to require references as to character, especially from the places in which they have previously resided. It is equally simple to adopt the practice of visiting their previous residences and there ascertain the essential things with regard to them, namely, whether they are respectable, temperate people and pay their rent promptly. This is an essential prerequisite to proper tenement house management.

Another very desirable thing is to make it to

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the interest of the tenants to take care of the house as if it were their own property. The best method that has been devised thus far of accomplishing this has been the admirable plan that is adopted by some companies, of allowing each family repairs and re-decorations each year to the amount of one month's rent and then permitting the tenants, if they so maintain their rooms that it is not necessary to spend this money, to have the benefit of it as a deduction from their rent. This gives to each family a direct incentive to careful use of the apartments.

Another form of effort in which private citizens may wisely engage is in buying up from time to time some of the more antiquated houses, improving them in the more essential respects, letting light into dark rooms, doing away with antiquated sanitary conveniences and substituting modern ones, improving generally the tone, appearance and quality of the house, and, when such renovation has been completed, putting in a higher grade of tenants and then, as opportunity offers, selling the building at a reasonable advance and investing the money in other buildings, and repeating this process indefinitely. One's capital is thus always live capital, and a large field of influence is possible. It is an excellent way also of stimulating other owners to the improvement of their property. If a number of houses in a neighborhood are improved in this way it will be

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found that other owners will wake up to the necessity of making similar changes in their property.

There is almost an unlimited field to be occupied in the study of social conditions and the determination of their relation to housing problems. Such questions as rentals, overcrowding, the lodger evil, tenement labor, offer wide fields of effort for the good of the community.

In general, a fruitful source of endeavor is to be found in the education of the community. This indeed is a prerequisite to all successful effort. A campaign for improved housing laws can not succeed until there has been created a sound public sentiment which demands their enactment and is unwilling to tolerate the further existence of unsanitary conditions.

The most potent factor in creating this sentiment is the press. Here is the means of quickly and in a striking way reaching thousands of people in a few moments, where by any other method only hundreds could be reached during a considerable period. Without the support of the press little progress can be expected in housing reform in any community. As a rule it is not difficult to obtain that support. The policy of a paper is determined by its proprietor and its editors, and they are influenced primarily by what they think will appeal to the intelligence and judgment of their readers. In addition, editors and newspaper proprietors are of course influenced by the views of their friends and by the views of men of standing in the



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community. Sometimes in rare instances such influence is exerted against the cause of housing reform. Owners of unsanitary tenements, sometimes our "best citizens," exert their influence to prevent the passage and enforcement of laws which may affect them financially. This, however, is not a condition that generally prevails.

The best appeal, however, to the editor or proprietor of a paper is the appeal to his own reason. You are not only dealing with an editor, but with a man. If there are conditions in your city which cry aloud for remedy, which are intolerable, which produce disease and death and lead to social and moral degradation, you do not need to rest your effort to secure the support of a particular newspaper upon the recommendations of any citizen, no matter how influential he may be. There is a much easier and simpler way. Take your editor to the conditions and let him observe them at first hand. It takes a little more time to do this but the effort is more than amply repaid. An impression thus gained is not easily eradicated. One actual physical inspection by the editor in person is worth all the articles that you may ever send him for publication. This is the keynote of the whole educational movement in housing reform. Let the people understand the facts. Where they cannot see conditions at first hand acquaint them with such conditions by means of photographs.

The education of the community must go on



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all the time. It is not something to be done at one particular moment and then dropped. It is an inherent part of any scheme for housing improvement. The community must progress with you if you are to expect advanced standards.

There is a very large field to be cultivated in educating tenants to a better knowledge of right ways of living and to a higher standard of their own responsibilities. Even though the landlord neglects to care for the public parts of his building the fact remains that if each tenant had a keen sense of responsibility for the maintenance of sanitary conditions, few unsanitary conditions would exist. The increasing foreign population seriously complicates the problem. Ignorant of our language, and not accustomed to methods of living that they find here, they do not easily adapt themselves to the changed conditions, and frequently adopt habits which render difficult the maintenance of proper standards. Most of them err through ignorance, not by intent; perhaps it would be more accurate to say through thoughtlessness. It is so much easier to throw waste material out of a window of a tenement if one lives on the upper stories than it is to put it in a pail and carry it down several flights of stairs. Many who do this would not do so if they understood that this practice resulted in conditions which cause sickness to themselves and their children as well as to their neighbors.

The importance of adequate ventilation in their

homes has never been impressed upon them. It is only in rare instances that one finds a tenement house dweller awake to this. One may provide tenement houses with large rooms, with ample light and air and yet the tenants by keeping their windows shut day and night, live in close, badly ventilated rooms. They must be taught the significance of good ventilation and of bad ventilation, and they must be taught in a way that they will comprehend. You can not appeal to them successfully on abstract principles, but you can appeal most successfully if you make your appeal direct and personal.

How valuable would be a movement which instructed tenants thoroughly with regard to the importance of having their windows open at night; which broke down the old superstition of the dangers of night air—inbred for generations in the Italian peasants who come to this country. It is not strange that this belief should still prevail among the simple working people who have come here from various European countries, where owing to the prevalence of malaria-breeding mosquitoes, the practice of keeping windows open at night was a menace.

How many tenants understand modern plumbing or realize the dangers connected with it and the necessity for its proper care? They have some waste material they wish to dispose of, and what more natural than for them to put it in the closet? It disappears and bothers them no more—so they

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think. They do not realize that they may be creating serious sanitary evils, which will result in unnecessary expense to the landlord and, if neglected by him, in sickness to themselves and to other tenants.

An organized movement, therefore, for the education of tenants in the essential affairs of domestic life would be most profitable in its results. Such a plan could be wisely carried out in two ways: First, through proper instruction in the public schools, thus reaching the children and insuring that the next generation shall have had the opportunity of appreciating the significance of these questions. A considerable amount of this information will filter from the child to its parents.

The other method would be through the systematic visitation in their homes in accordance with a well developed plan, of each family in a given neighborhood by some person with a special gift for influencing people of this kind. Such a plan has been carried out very successfully in some cities, notably, in the City of Yonkers, where for several years past a woman inspector connected with the Health Department has carried on such work. Her work has not been limited, however, solely to the sanitary care of the home but has embraced such important questions as the care of children, proper diet, methods of cooking, as well as questions of personal and house cleanliness. An important adjunct to any such plan is the dis-



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tribution of educational leaflets. These, however, should be put in very simple form to be effective. It will be found as a rule that the greatest influence will come from the personal relationships established.

Almost, though not quite, as important is the education of the landlord. A man who has acquired property is not likely to believe that he needs to be instructed with regard to its management. He is quite confident, as a rule, that he understands how to run his house better than anybody else. Sometimes he does. Often, however, he does not. The test of it is found in the conditions that exist. If his house is clean, orderly, the tenants of good character, the vacancies few and his bills for repairs small, it is quite obvious that he needs no instruction from anybody as to how to run his building. If, on the other hand, the house is in an unsanitary condition, or there is an undue number of vacant apartments or he is obtaining comparatively little income from his property, it is pretty evident that the house is not being well managed and that the landlord has something to learn. Even in such cases he will be loath to admit this. The landlord under such circumstances, when urged to consider whether the management of his property can not be improved, is likely to reply in the same vein as did the tenant who, when urged by the woman sanitary inspector to make certain changes with regard to her methods of caring for her children,



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replied that "she guessed she didn't need anybody to tell her how to bring up children; she had buried seven of them."

The method of approach is the same in both cases. The tenant must be made to see that the fact that she had buried seven children was an indictment of her methods of management; the landlord must be made to see that the fact that he has to spend large sums of money each year on repairs, that he loses a great deal of money on account of vacant apartments and bad debts, is an indictment of his methods of running his house.

What are the main things which the landlord needs to learn? The first and most vital thing for him to learn is that it is against his interest to have unsanitary conditions prevail in his property; that it is to his interest to have his property maintained in a clean and proper condition; that even though this involves spending money, it will be money saved in the end; that the character of his tenants is of vital concern to him and that he has it within his power to choose his tenants; that there is more profit in having a house filled with contented people who desire to remain there for a long time, and with no vacant apartments, than there is in having many vacant apartments and a few tenants paying higher rents; and, finally, the landlord should have awakened in him a sense of moral responsibility with regard to the welfare of his tenants. He has an unusual opportunity for influencing for good

#### HOUSING REFORM

or ill the welfare of hundreds of lives. Such an appeal can not be made in the first instance, perhaps, but can be made ultimately. The appeal to self-interest is the one that must be made first; the appeal to enlightened conscience afterward.

How is the education of landlords to be brought about? Just exactly as the education of tenants: In an organized way by people who know more about the landlord's business than he does. It will not do to send people to teach him who are not competent to teach. It will not do to send people who can not gain his confidence. You must first get your influence before you use it. You can't get your influence with the landlord unless he is convinced that your knowledge of the subject exceeds his own. That, you have to demonstrate. He will not take you at your own estimate or at that of another. You must let him see what is being done by other landlords and the advantages that accrue from their methods, and you must be prepared for his resisting every suggestion you make. In that regard he is altogether human.

Another form of useful effort along educational lines is in the training of janitors for the care of tenement houses. In our large cities where the type of house is one occupied by many families and where a janitor or resident housekeeper is essential, this is of greater importance than in the smaller communities. It is not strange that tenement houses are often kept in a neglected

#### THE FIELD OF PRIVATE EFFORT

condition when we reflect that we entrust the care of twenty families—one hundred people—the adjustment of their social differences, the decision as to the use of the public parts of the building, the necessary discipline, etc., to some ignorant man or woman totally unfamiliar with sanitary requirements, with no special standards of their own, with no knowledge of sanitary plumbing or what it means and with generally such inadequate compensation that it necessitates their following some other occupation for their main source of income and devoting to the care of the house and the twenty families, only such small portions of their time as they can spare from their regular business.

Many tenement house owners would be glad to employ competent janitors if they could obtain them, and would be glad to compensate such men adequately. It is, however, almost impossible to obtain a good janitor. In the first place there is no source of supply, no employment agencies where they can be obtained. No special qualifications are required and there is no method of training. No one thus far has attempted to equip the janitor for his duties.

What is greatly needed in such cities as New York, Boston and Chicago, is a training school for janitors where they can learn both the theory and practice of their work; can be made familiar with the laws and ordinances bearing upon it, with the rights of landlords and the rights of tenants; where they can be instructed in a practical way



## HOUSING REFORM

in their duties; where they can be taken through a tenement house and shown the relations of the plumbing to the health of the occupants, can learn how to make ordinary repairs to plumbing, to remove obstructions in pipes and fixtures; can learn how to do the necessary odd jobs of carpenter work that every tenement house requires; be taught the importance of maintaining high standards of sanitary conditions; the best way to handle garbage, ashes and other refuse; the necessity of ventilation in all parts of such a building, the frequent airing of public halls—in a word, can learn in a practical way the bearing of all their duties upon the lives of the people whom they are put there to serve, and upon the financial interests of their employers. If such a training school were established and properly managed, it is reasonable to expect that only competent trained janitors would ultimately be employed by real estate owners. Such a training school must come in the near future. London has its sanitary institute, but no American city has anything of the kind.

These are some of the more important forms of work that can be undertaken advantageously by persons interested in improving housing conditions. All of them, however, will be comparatively ineffective unless preceded by a successful effort to secure the enactment of laws that will regulate adequately the construction and maintenance of the houses in which the great mass of the people live.



## **XIV**

### **A CHAPTER OF DON'TS**

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## XIV

### A CHAPTER OF DON'TS

**D**ON'T let your city become a city of tenements. Keep it a city of homes.

Don't imagine there is no necessity for action because conditions in your city are not as bad as they are elsewhere.

Don't build a model tenement until you have secured a model housing law.

Don't attempt to legislate first and investigate afterwards.

Don't permit any new houses to be built that do not have adequate light and ventilation and proper sanitation.

Don't legislate merely for the present.

Don't permit the growth of new slums. Prevention is better than cure.

Don't urge that all new houses shall be fireproof.

Don't permit the occupancy of new houses if built in violation of law.

Don't lightly give discretionary power to the officials who enforce your housing laws.

Don't urge the creation of a Tenement House Department, unless you have more than 25,000 tenement houses. <sup>s</sup>

## HOUSING REFORM

Don't complain of the enforcing authorities until you are familiar with their methods of administration.

Don't tolerate cellar dwellings.

Don't let the poor be denied a liberal supply of water in their homes.

Don't permit houses unfit for human habitation to be occupied.

Don't urge at first the reconstruction of the older houses. Let this wait until after other things have been done.

Don't permit privies to exist in any city. Compel their removal.

Don't urge the destruction of unsanitary buildings. Keep them empty if they are not fit for human habitation.

Don't tolerate the lodger evil. Nip it in the bud.

Don't take up minor matters, but attack the worst evils first.

Don't allow the enforcement of housing laws to be nullified by politicians.

Don't neglect the landlord's side of the question.

Don't repeat the talk about the poor not wanting good housing accommodations.

Don't urge the municipal ownership and operation of tenement houses.

Don't ask the poor questions about themselves in housing investigations but about their houses.

Don't resort to criticism of public officials until you have tried co-operation.



#### A CHAPTER OF DON'TS

Don't rely on the death rate alone as an index of good or bad housing conditions.

Don't confuse the fields of public and private effort.

Don't cease your efforts when you have passed a good law. Eternal vigilance is not only the price of liberty, but of all progress.

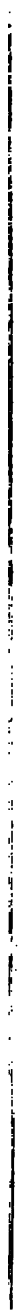


## **SAMPLE SCHEDULES FOR HOUSING INVESTIGATIONS**





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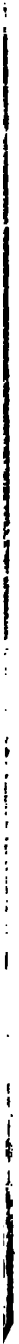
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